Journal of the Senate

Number 21—Regular Session **Friday, May 5, 2006**

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CALL TO ORDER

The Senate was called to order by President Lee at 9:43 a.m. A quorum present—37:

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Baker	Hill	Siplin
Bennett	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Diaz de la Portilla	Miller	

Excused: Senator Bullard; Senator Rich until 12:45 p.m.

PRAYER

The following prayer was offered by Senator Sebesta:

Good morning, Mr. President. Good morning, Senators. Eight years ago almost to the day, I had the distinct honor of giving prayer before this Senate. This morning, I'm going to use the same prayer that I used eight years ago today.

Dear God, I don't know why this is, probably our human nature, and I'm probably the biggest offender in this chamber, but it seems that most of our prayers to you are for help, and we too seldom thank you for all of your wonderful gifts—our friends, our families, our great country and our very lives.

But here we are again, asking for your help.

With so little time left in this 108th Legislative Session, there's yet so much to do. We know that we cannot correct all the problems of society, so we simply ask you for the wisdom to know what is right, and the fortitude to do what is right.

Thank you, God, for everything that you do for us. Please be with us today, tomorrow, and always. Amen.

PLEDGE

Senate Pages Ryan Drawdy and Danielle Sewell of Groveland; Samuel "Sam" Green of Orlando; and Allie Caldwell of Tallahassee, daughter of Diana Caldwell, Staff Director of the Committee on Communications and Public Utilities, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Walter Flesner of Cape Coral, sponsored by Senator Saunders, as doctor of the day. Dr. Flesner specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Smith—

By Senator Smith—

SR 2850—A resolution commending the Florida 4-H Program and recognizing April 27, 2006, as "Florida 4-H Day" at the Capitol.

WHEREAS, the Florida 4-H Program, organized by the Florida Cooperative Extension Services of the University of Florida's Institute of Food and Agricultural Sciences, prepares the youth of this state for the workplace and encourages them to become leaders, not only for tomorrow, but also today, and

WHEREAS, more than 280,000 children ages 5 through 18 in all 67 Florida counties and on the Seminole Tribes Reservations participate in the Florida 4-H Program, making "the best better" through activities, events, and projects designed to develop and strengthen the skills and talents of all participants, and

WHEREAS, Florida 4-H participants "learn by doing" through a diverse array of projects in areas ranging from computers to community service to animal science and aeronautics, and

WHEREAS, every year thousands of 4-H volunteers share their knowledge and time with children from across the state, mentoring, supporting, and helping the children and youth of Florida 4-H to make a positive difference in their communities, and

WHEREAS, the Florida 4-H Program also enables young people to grow and become participating citizens in a democracy through outstanding programs such as the Florida 4-H Legislature, Congress, and Executive Boards, and

WHEREAS, by encouraging rural, suburban, and urban youth to participate in its programs, Florida 4-H brings the vital experience of its essential elements—Belonging, Independence, Mastery, and Generosity—into the lives of children and promotes positive youth development, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate congratulates and commends the Florida 4-H Program, its teachers and volunteers, and its many young participants on their goals and achievements in this fine organization, and recognizes today, April 27, 2006, as "Florida 4-H Day" at the Capitol.

—**SR 2850** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 2860—A resolution honoring Longshoreman Dale Walker for his exemplary courage and heroism in rescuing Ships Agent Susan Hite from the St. Johns River on Christmas Eve Day, 2005.

WHEREAS, in a freak dockside accident at Blount Island in Jacksonville on December 24, 2005, Susan Hite was knocked unconscious and fell into the St. Johns River when the rope-supported gangplank she was crossing suddenly came undone and sent the gangplank crashing against the ship's hull, and

WHEREAS, dock workers and bystanders rushed to the dock's edge and watched helplessly as Mrs. Hite's body was rushed along in a racing dockside current, and

WHEREAS, Dale Walker saw the situation and sprinted 100 yards down the dock to get ahead of Mrs. Hite's location, jumped down onto a dock bumper, and then into the river to intercept Mrs. Hite, who was still unconscious, and

WHEREAS, fighting the ripping current as he held Mrs. Hite's head above the surface, Mr. Walker grasped first onto one pylon and then another, which cut deeply into his hands with sharp encrustations of oyster shells, meanwhile shouting advice to his fellow longshoremen on how to help with the rescue, and

WHEREAS, while the men on the dock tossed down first a rope and then an anchor, neither of which worked, and finally a rope ladder, Mrs. Hite regained sufficient consciousness to be terrified, and Mr. Walker was still calm enough to reassure her that she was "not going to die that day," and

WHEREAS, after a 10-minute struggle up the ladder, Mr. Walker brought Mrs. Hite and himself to safety, thanking God for their rescue as Mrs. Hite thanked Mr. Walker for risking his own life to save hers, and

WHEREAS, days later, Dale Walker also expressed his gratitude for what he sees as "the God-given opportunity to help somebody," NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That Dale Walker is recognized for his remarkable courage and heroism and for his deep and exemplary compassion.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dale Walker as a token of the sentiments of the Florida Senate.

—**SR 2860** was introduced, read and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for CS for SB 1980—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; redefining the term "losses"; revising certain reimbursement contract criteria; revising certain reimbursement premium requirements; deleting a requirement that bonds be validated; revising certain revenue bond emergency assessment requirements; specifying premiums that are subject to assessment; revising the date on which the exemption of medical malpractice premiums from emergency assessments is repealed; creating s. 215.558, F.S.; creating the Home Retrofit Hardening Program; providing eligibility criteria and guidelines for awarding funds under the program; providing limits on grant amounts and on administrative expenses; creating s. 215.5586, F.S.; providing a purpose; requiring the Department of Community Affairs to establish a wind certification and hurricane mitigation inspection program; specifying inspection requirements; providing qualification requirements for inspection providers; requiring the department to adopt rules; amending s. 193.155, F.S.; providing that certain changes made to homestead property for hurricane damage mitigation do not increase the assessed value of the property; creating s. 252.63, F.S.; providing purpose and intent; providing powers of the Commissioner of Insurance Regulation during a state of emergency; authorizing the commissioner to issue certain orders in a state of emergency; providing for effect and duration of such orders; providing for legislative termination of such orders; requiring the commissioner to publish such orders and an explanatory statement; prescribing additional duties of the commissioner with respect to mitigation of consequences of emergencies; amending s. 626.918, F.S.; authorizing certain letters of credit to fund a surplus lines insurer's required policyholder protection trust fund; defining the term "qualified United States financial institution"; amending s. 627.062, F.S.; requiring the chief executive officer and the chief financial officer of each property insurer, or its certified public accountant acting on its behalf, to sign a statement of certification, sworn under oath, to accompany the rate filing; revising factors to be used in reviewing rate filings; providing that, in considering a rate filing, the burden is on the Office of Insurance Regulation to establish that costs of reinsurance are excessive; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.06281, F.S.; requiring the public hurricane loss-projection model to be submitted for review by the Florida Commission on Hurricane Loss Projection Methodology; allowing the Office of Insurance Regulation to use the public model until the commission determines that the public model is not accurate or reliable; amending s. 627.351, F.S.; providing that certain responsibilities of the Office of Insurance Regulation with respect to the plan of operation of Citizens Property Insurance Corporation be assumed by the Financial Services Commission; defining the terms "homestead property" and "nonhomestead property" for use with respect to Citizens Property Insurance Corporation; limiting eligibility for personal lines coverage by the corporation; directing the corporation board to reduce or, with approval by necessary parties, restructure existing debt; requiring a report with respect thereto; providing for a reduction in aggregate amount of a regular assessment in certain circumstances; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; prescribing an additional surcharge on deficit assessments for certain nonhomestead property; providing for optional payment plans; requiring insurers to provide claims-adjusting services for certain wind coverage in certain circumstances; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees of the corporation to sign annually a statement that they have no conflict of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers' representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a take-out bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing a rate surcharge for certain nonhomestead property and property valued at more than a certain amount; providing that rates for the corporation are not subject to the requirements for being noncompetitive if the Office of Insurance Regulation makes a certain determination; deleting provisions relating to appointment of a rate methodology panel; providing for use of the public hurricane loss-projection model in ratemaking; prescribing requirements for paying takeout bonuses or payments to insurers; requiring records of takeout bonuses or other payments for certain purposes; clarifying that debt obligations of the corporation are not subject to taxation; prohibiting the corporation and other persons from making certain filings under, or becoming a debtor under, the federal Bankruptcy Code; postponing the dates by which the boundaries of high-risk areas must be reduced; requiring a study of the viability of author-

ized insurers issuing and servicing, for a fee, certain high-risk insurance policies; requiring a report to legislative leaders; providing applicability of specified provisions relating to assessments and surcharges; amending s. 627.3511, F.S.; extending the period for which an insurer that assumes Citizens Property Insurance Corporation's obligations under a policy must renew the replacement policy; revising circumstances under which replacement is not required; amending s. 627.3517, F.S.; providing that an insurance risk apportionment plan policyholder's right to retain his or her current agent does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation; creating s. 627.3519, F.S.; requiring the Financial Services Commission to report annually to the Legislature on probable maximum losses, financing options, and assessment potentials of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; creating s. 627.6121, F.S.; prescribing circumstances under which an insurer must pay benefits to a primary policyholder of dual interest property; requiring mortgageholders and lienholders be given notice of such payment; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; providing that the section does not prohibit an insurer from limiting its liability concerning certain replacement costs; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; amending s. 627.706, F.S.; allowing for a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; providing for judicial review; amending s. 627.727, F.S.; conforming a cross-reference; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims related to the insolvency of an insurer; providing requirements; amending s. 631.54, F.S.; redefining the term "covered claim" and defining the term "homeowner's insurance" for purposes of the Florida Insurance Guaranty Association; amending s. 631.55, F.S.; conforming a cross-reference; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Office of Insurance Regulation to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; providing appropriations; requiring that an appropriation be transferred to Citizens Property Insurance Corporation to reduce the amount of the regular assessment for a specified deficit; requiring the corporation to notify assessable insurers of the amount by which assessments have been reduced; requiring insurers who recoup assessments to notify policyholders of the amount by which the surcharge has been reduced; providing penalties for a violation; defining terms; repealing s. 215.559(3), F.S.; deleting the requirement that the Department of Community Affairs develop a low-interest loan program for retrofitting homes; providing effective dates.

—which was previously considered May 4 with pending **Amendment 1 (021596)** by Senator Garcia.

Senators Campbell, Klein, Geller and Smith offered the following amendment to **Amendment 1** which was moved by Senator Campbell:

Amendment 1A (795238)(with title amendment)—On page 24, between lines 15 and 16, insert:

Section 6. Subsection (1) of section 350.061, Florida Statutes, is amended to read:

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

(1) The Committee on Public Service Commission Oversight shall appoint a Public Counsel by majority vote of the members of the committee to represent the general public of Florida before the Florida Public Service Commission *and the Office of Insurance Regulation*. The Public Counsel shall be an attorney admitted to practice before the Florida Supreme Court and shall serve at the pleasure of the Committee on Public Service Commission Oversight, subject to biennial reconfirmation by the committee. The Public Counsel shall perform his or her duties independently. Vacancies in the office shall be filled in the same manner as the original appointment.

Section 7. Section 350.0611, Florida Statutes, is amended to read:

350.0611 Public Counsel; duties and powers.—It shall be the duty of the Public Counsel to provide legal representation for the people of the state in proceedings before the *Public Service* Commission *and the Office of Insurance Regulation* and in proceedings before counties pursuant to s. 367.171(8). The Public Counsel shall have such powers as are necessary to carry out the duties of his or her office, including, but not limited to, the following specific powers:

(1) To recommend to the *Public Service* Commission or the counties, by petition, the commencement of any proceeding or action or to appear, in the name of the state or its citizens, in any proceeding or action before the commission or the counties.

(2) To recommend to the Office of Insurance Regulation, by petition, the commencement of, and to appear in the name of the state or its citizens in, any proceeding or action before the office relating to:

(a) Rules governing residential property insurance; or

(b) Rate filings for residential property insurance which, pursuant to standards determined by the office, request an average statewide rate increase of 10 percent or greater as compared to the current rates in effect or the rates in effect 12 months prior to the proposed effective date.

The Public Counsel may not stay any final order of the Office of Insurance Regulation.

(3) To ~~and~~ urge *in any proceeding or action to which he or she is a party* ~~therein~~ any position *that* ~~which~~ he or she deems to be in the public interest, whether consistent or inconsistent with positions previously adopted by the commission*,* ~~or~~ the counties, *or the office,* and *use* ~~utilize~~ therein all forms of discovery available to attorneys in civil actions generally, subject to protective orders of the commission*,* ~~or~~ the counties*, or*

the office, which shall be reviewable by summary procedure in the circuit courts of this state.~~;~~

(4)~~(2)~~ To have access to and use of all files, records, and data of the commission*,* ~~or~~ the counties*, or the office* available to any other attorney representing parties in a proceeding before the commission*,* ~~or~~ the counties*, or the office.*~~;~~

(5)~~(3)~~ In any proceeding in which he or she has participated as a party, to seek review of any determination, finding, or order of the commission*,* ~~or~~ the counties, *or the office,* or of any hearing examiner designated by the commission*,* ~~or~~ the counties, *or the office,* in the name of the state or its citizens.~~;~~

(6)~~(4)~~ To prepare and issue reports, recommendations, and proposed orders to the commission *or office*, the Governor, and the Legislature on any matter or subject within the jurisdiction of the commission *or office*, and to make such recommendations as he or she deems appropriate for legislation relative to commission *or office* procedures, rules, jurisdiction, personnel, and functions.~~; and~~

(7)~~(5)~~ To appear before other state agencies, federal agencies, and state and federal courts in connection with matters under the jurisdiction of the commission *or office*, in the name of the state or its citizens.

Section 8. Section 350.0612, Florida Statutes, is amended to read:

350.0612 Public Counsel; location.—The Public Counsel shall maintain his or her office in Leon County ~~on the premises of the commission or, if suitable space there cannot be provided,~~ at such ~~other~~ place convenient to the offices of the *Public Services Commission or the Office of Insurance Regulation* ~~commissioners~~ as will enable him or her to carry out expeditiously the duties and functions of his or her office.

Section 9. Section 350.0613, Florida Statutes, is amended to read:

350.0613 Public Counsel; employees; receipt of pleadings.—The *Joint Legislative Auditing* Committee may authorize the Public Counsel to employ clerical and technical assistants whose qualifications, duties, and responsibilities the committee shall from time to time prescribe. The committee may from time to time authorize retention of the services of additional attorneys*, actuaries, economists,* or experts to the extent that the best interests of the people of the state will be better served thereby, including the retention of expert witnesses and other technical personnel for participation in contested proceedings before the *Public Service* Commission *or Office of Insurance Regulation*. The commission shall furnish the Public Counsel with copies of the initial pleadings in all proceedings before the commission*. The office shall furnish the Public Counsel with copies of all filings that relate to the jurisdiction of the Public Counsel pursuant to s. 350.0611(2).*~~, and~~ If the Public Counsel intervenes as a party in any proceeding he or she shall be served with copies of all subsequent pleadings, exhibits, and prepared testimony, if used. Upon filing notice of intervention, the Public Counsel shall serve all interested parties with copies of such notice and all of his or her subsequent pleadings and exhibits.

Section 10. Paragraph (b) of subsection (3) of section 624.319, Florida Statutes, is amended to read:

624.319 Examination and investigation reports.—

(3)

(b) Workpapers and other information held by the department or office, and workpapers and other information received from another governmental entity or the National Association of Insurance Commissioners, for the department's or office's use in the performance of its examination or investigation duties pursuant to this section and ss. 624.316, 624.3161, 624.317, and 624.318 are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to workpapers and other information held by the department or office before, on, or after the effective date of this exemption. Such confidential and exempt information may be disclosed to another governmental entity, if disclosure is necessary for the receiving entity to perform its duties and responsibilities, and may be disclosed to the National Association of Insurance Commissioners. *The Public Counsel shall have access to such confidential and exempt information pertaining to residential property insurance at any time.* The receiving governmental entity or the association must maintain the confidential and exempt status of the information. The information made confidential and exempt by this paragraph may be used in a criminal, civil, or administrative proceeding so long as the confidential and exempt status of such information is maintained. This paragraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2007, unless reviewed and saved from repeal through reenactment by the Legislature.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 130, line 28, after the first semicolon (;) insert: amending ss. 350.061, 350.0611, 350.0612, 350.0613, and 350.0614, F.S.; authorizing the Public Counsel to represent the general public before the Office of Insurance Regulation; including certain proceedings related to rules and rate filings for residential property insurance; authorizing the Public Counsel to have access to files of the office, to seek review of orders of the office, to issue reports, recommendations, and proposed orders to the office; specifying where the Public Counsel shall maintain his or her office; authorizing the Joint Legislative Auditing Committee to authorize the Public Counsel to employ certain types of employees; requiring the Office of Insurance Regulation to provide copies of certain filings to the Public Counsel; amending s. 624.319, F.S.; authorizing the Public Counsel to have access to certain confidential information held by the Department of Financial Services or the Office of Insurance Regulation;

Senator Campbell moved the following substitute amendment for **Amendment 1A** which was adopted:

Amendment 1B (054414)(with title amendment)—On page 24, between lines 15 and 16, insert:

Section 6. Subsection (1) of section 350.061, Florida Statutes, is amended to read:

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

(1) The Committee on Public Service Commission Oversight shall appoint a Public Counsel by majority vote of the members of the committee to represent the general public of Florida before the Florida Public Service Commission *and the Office of Insurance Regulation*. The Public Counsel shall be an attorney admitted to practice before the Florida Supreme Court and shall serve at the pleasure of the Committee on Public Service Commission Oversight, subject to biennial reconfirmation by the committee. The Public Counsel shall perform his or her duties independently. Vacancies in the office shall be filled in the same manner as the original appointment.

Section 7. Section 350.0611, Florida Statutes, is amended to read:

350.0611 Public Counsel; duties and powers.—It shall be the duty of the Public Counsel to provide legal representation for the people of the state in proceedings before the *Public Service* Commission *and the Office of Insurance Regulation* and in proceedings before counties pursuant to s. 367.171(8). The Public Counsel shall have such powers as are necessary to carry out the duties of his or her office, including, but not limited to, the following specific powers:

(1) To recommend to the *Public Service* Commission or the counties, by petition, the commencement of any proceeding or action or to appear, in the name of the state or its citizens, in any proceeding or action before the commission or the counties.

(2) To recommend to the Office of Insurance Regulation, by petition, the commencement of, and to appear in the name of the state or its citizens in, any proceeding or action before the office relating to:

(a) Rules governing residential property insurance; or

(b) Rate filings for residential property insurance which, pursuant to standards determined by the office, request an average statewide rate increase of 10 percent or greater as compared to the current rates in effect or the rates in effect 12 months prior to the proposed effective date.

The Public Counsel may not stay any final order of the Office of Insurance Regulation.

(3) To ~~and~~ urge *in any proceeding or action to which he or she is a party* ~~therein~~ any position *that* ~~which~~ he or she deems to be in the public interest, whether consistent or inconsistent with positions previously adopted by the commission*,* ~~or~~ the counties, *or the office,* and *use* ~~utilize~~ therein all forms of discovery available to attorneys in civil actions generally, subject to protective orders of the commission*,* ~~or~~ the counties*, or the office,* which shall be reviewable by summary procedure in the circuit courts of this state.~~;~~

(4)~~(2)~~ To have access to and use of all files, records, and data of the commission*,* ~~or~~ the counties*, or the office* available to any other attorney representing parties in a proceeding before the commission*,* ~~or~~ the counties*, or the office.*~~;~~

(5)~~(3)~~ In any proceeding in which he or she has participated as a party, to seek review of any determination, finding, or order of the commission*,* ~~or~~ the counties, *or the office,* or of any hearing examiner designated by the commission*,* ~~or~~ the counties, *or the office,* in the name of the state or its citizens.~~;~~

(6)~~(4)~~ To prepare and issue reports, recommendations, and proposed orders to the commission *or office*, the Governor, and the Legislature on any matter or subject within the jurisdiction of the commission *or office*, and to make such recommendations as he or she deems appropriate for legislation relative to commission *or office* procedures, rules, jurisdiction, personnel, and functions.~~; and~~

(7)~~(5)~~ To appear before other state agencies, federal agencies, and state and federal courts in connection with matters under the jurisdiction of the commission *or office*, in the name of the state or its citizens.

Section 8. Section 350.0612, Florida Statutes, is amended to read:

350.0612 Public Counsel; location.—The Public Counsel shall maintain his or her office in Leon County ~~on the premises of the commission or, if suitable space there cannot be provided,~~ at such ~~other~~ place convenient to the offices of the *Public Services Commission or the Office of Insurance Regulation* ~~commissioners~~ as will enable him or her to carry out expeditiously the duties and functions of his or her office.

Section 9. Section 350.0613, Florida Statutes, is amended to read:

350.0613 Public Counsel; employees; receipt of pleadings.—The committee may authorize the Public Counsel to employ clerical and technical assistants whose qualifications, duties, and responsibilities the committee shall from time to time prescribe. The committee may from time to time authorize retention of the services of additional attorneys*, actuaries, economists,* or experts to the extent that the best interests of the people of the state will be better served thereby, including the retention of expert witnesses and other technical personnel for participation in contested proceedings before the *Public Service* Commission *or Office of Insurance Regulation*. The commission shall furnish the Public Counsel with copies of the initial pleadings in all proceedings before the commission*. The office shall furnish the Public Counsel with copies of all filings that relate to the jurisdiction of the Public Counsel pursuant to s. 350.0611(2).*~~, and~~ If the Public Counsel intervenes as a party in any proceeding he or she shall be served with copies of all subsequent pleadings, exhibits, and prepared testimony, if used. Upon filing notice of intervention, the Public Counsel shall serve all interested parties with copies of such notice and all of his or her subsequent pleadings and exhibits.

Section 10. Paragraph (b) of subsection (3) of section 624.319, Florida Statutes, is amended to read:

624.319 Examination and investigation reports.—

(3)

(b) Workpapers and other information held by the department or office, and workpapers and other information received from another governmental entity or the National Association of Insurance Commissioners, for the department's or office's use in the performance of its examination or investigation duties pursuant to this section and ss. 624.316, 624.3161, 624.317, and 624.318 are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to workpapers and other information held by the department or office before, on, or after the effective date of this exemption. Such confidential and exempt information may be disclosed to another governmental entity, if disclosure is necessary for the receiving entity to perform its duties and responsibilities, and may be disclosed to the National Association of Insurance Commissioners. *The Public Counsel shall have access to such confidential and exempt information pertaining to residential property insurance at any time.* The receiving governmental entity or the association must maintain the confidential and exempt status of the information. The information made confidential and exempt by this paragraph may be used in a criminal, civil, or administrative proceeding so long as the confidential and exempt status of such information is maintained. This paragraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2007, unless reviewed and saved from repeal through reenactment by the Legislature.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 130, line 28, after the first semicolon (;) insert: amending ss. 350.061, 350.0611, 350.0612, 350.0613, and 350.0614, F.S.; authorizing the Public Counsel to represent the general public before the Office of Insurance Regulation; including certain proceedings related to rules and rate filings for residential property insurance; authorizing the Public Counsel to have access to files of the office, to seek review of orders of the office, to issue reports, recommendations, and proposed orders to the office; specifying where the Public Counsel shall maintain his or her office; authorizing the committee on Public Service Commission Oversight to authorize the Public Counsel to employ certain types of employees; requiring the Office of Insurance Regulation to provide copies of certain filings to the Public Counsel; amending s. 624.319, F.S.; authorizing the Public Counsel to have access to certain confidential information held by the Department of Financial Services or the Office of Insurance Regulation;

Senators Klein, Smith, Geller and Campbell offered the following amendment to **Amendment 1** which was moved by Senator Klein and failed:

Amendment 1C (114260)(with title amendment)—On page 28, line 29 through page 30, line 30, delete those lines and insert:

Section 7. Effective July 1, 2006, paragraphs (a), (b), and (h) of subsection (2) and subsection (5) of section 627.062, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

627.062 Rate standards.—

(2) As to all such classes of insurance:

(a) Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on such classes of insurance written in this state. A copy of rates, rating schedules, rating manuals, premium credits or discount schedules, and surcharge schedules, and changes thereto, shall be filed with the office ~~under one of the following procedures:~~

~~1. If the filing is made~~ at least 90 days before the proposed effective date. ~~and~~ The filing *may* ~~is~~ not *be* implemented during the office's review of the filing and any proceeding and judicial review.~~, then~~ Such filing *is* ~~shall be~~ considered a "file and use" filing. ~~In such case,~~ The office shall finalize its review by issuance of a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing. The notice of intent to approve and the notice of intent to disapprove constitute agency action for purposes of the Administrative Procedure Act. Requests for supporting information, requests for mathematical or mechanical corrections, or notification to the insurer by the office of its preliminary findings shall not toll the 90-day period during any such proceedings and subsequent judicial review. The rate shall be deemed approved if the office does not issue a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing.

~~2. If the filing is not made in accordance with the provisions of subparagraph 1., such filing shall be made as soon as practicable, but no later than 30 days after the effective date, and shall be considered a "use and file" filing. An insurer making a "use and file" filing is potentially subject to an order by the office to return to policyholders portions of rates found to be excessive, as provided in paragraph (h).~~

(b) Upon receiving a rate filing, the office shall review the rate filing to determine if a rate is excessive, inadequate, or unfairly discrimina-

tory. In making that determination, the office shall, in accordance with generally accepted and reasonable actuarial techniques, consider the following factors:

1. Past and prospective loss experience within and without this state.

2. Past and prospective expenses.

3. The degree of competition among insurers for the risk insured.

4. Investment income reasonably expected by the insurer, consistent with the insurer's investment practices, from investable premiums anticipated in the filing, plus any other expected income from currently invested assets representing the amount expected on unearned premium reserves and loss reserves. The commission may adopt rules utilizing reasonable techniques of actuarial science and economics to specify the manner in which insurers shall calculate investment income attributable to such classes of insurance written in this state and the manner in which such investment income shall be used in the calculation of insurance rates. Such manner shall contemplate allowances for an underwriting profit factor and full consideration of investment income which produce a reasonable rate of return; however, investment income from invested surplus shall not be considered.

5. The reasonableness of the judgment reflected in the filing.

6. Dividends, savings, or unabsorbed premium deposits allowed or returned to Florida policyholders, members, or subscribers.

7. The adequacy of loss reserves.

8. The cost of reinsurance*, as further specified in subsection (5)*.

9. Trend factors, including trends in actual losses per insured unit for the insurer making the filing.

10. Conflagration and catastrophe hazards, if applicable.

11. A reasonable margin for underwriting profit and contingencies.

12. The cost of medical services, if applicable.

13. Other relevant factors which impact upon the frequency or severity of claims or upon expenses.

(h) *If* ~~In the event~~ the office finds that a rate or rate change is excessive, inadequate, or unfairly discriminatory, the office shall issue an order of disapproval specifying that a new rate or rate schedule which responds to the findings of the office be filed by the insurer. ~~The office shall further order, for any "use and file" filing made in accordance with subparagraph (a)2., that premiums charged each policyholder constituting the portion of the rate above that which was actuarially justified be returned to such policyholder in the form of a credit or refund.~~ If the office finds that an insurer's rate or rate change is inadequate, the new rate or rate schedule filed with the office in response to such a finding shall be applicable only to new or renewal business of the insurer written on or after the effective date of the responsive filing.

The provisions of this subsection shall not apply to workers' compensation and employer's liability insurance and to motor vehicle insurance.

(5) With respect to a rate filing involving coverage of the type for which the insurer is required to pay a reimbursement premium to the Florida Hurricane Catastrophe Fund, the insurer may fully recoup in its property insurance premiums any reimbursement premiums paid to the Florida Hurricane Catastrophe Fund, together with ~~reasonable~~ costs of other reinsurance *consistent with prudent business practices and sound actuarial principles*, but may not recoup reinsurance costs that duplicate coverage provided by the Florida Hurricane Catastrophe Fund. *The burden is on the office to establish that any costs of other reinsurance are in excess of amounts consistent with prudent business practices and sound actuarial principles.* An insurer may not recoup more than 1 year of reimbursement premium at a time. Any under-recoupment from the prior year may be added to the following year's reimbursement premium and any over-recoupment shall be subtracted from the following year's reimbursement premium.

And the title is amended as follows:

On page 131, lines 3-7, delete those lines and insert: revising procedures governing certain rate filings; removing provisions authorizing a "use and file" filing and providing for a credit or refund for certain premiums charged for such a filing; revising factors to be used in reviewing rate filings; providing that, in considering a rate filing, the burden is on the Office of Insurance Regulation to establish that costs of reinsurance are excessive; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive;

The vote was:

Yeas—11

Aronberg	Geller	Miller
Bennett	Hill	Siplin
Campbell	Klein	Smith
Constantine	Margolis	

Nays—20

Mr. President	Fasano	Pruitt
Alexander	Garcia	Saunders
Argenziano	Haridopolos	Sebesta
Baker	Jones	Villalobos
Carlton	King	Webster
Clary	Peaden	Wise
Dockery	Posey	

Vote after roll call:

Yea—Crist

Nay—Diaz de la Portilla

Senators Alexander and Garcia offered the following amendment to **Amendment 1** which was moved by Senator Alexander and adopted:

Amendment 1D (502728)(with directory and title amendments)—On page 30, between lines 22 and 23, insert:

(j) Effective July 1, 2007, notwithstanding any other provision of this section:

1. With respect to any residential property insurance subject to regulation under this section and with respect to any area for which the office determines a reasonable degree of competition exists, a rate filing, including, but not limited to, any rate changes, rating factors, territories, classification, discounts, and credits, with respect to any policy form, including endorsements issued with the form, that results in an overall average statewide premium increase or decrease of no more than 5 percent above or below the premium that would result from the insurer's rates then in effect shall not be subject to a determination by the office that the rate is excessive or unfairly discriminatory except as provided in subparagraph 3., or any other provision of law, provided all changes specified in the filing do not result in an overall premium increase of more than 10 percent for any one territory, for reasons related solely to the rate change. As used in this subparagraph, the term "insurer's rates then in effect" includes only rates that have been lawfully in effect under this section or rates that have been determined to be lawful through administrative proceedings or judicial proceedings.

2. An insurer may not make filings under this paragraph with respect to any policy form, including endorsements issued with the form, if the overall premium changes resulting from such filings exceed the amounts specified in this paragraph in any 12-month period. An insurer may proceed under other provisions of this section or other provisions of law if the insurer seeks to exceed the premium or rate limitations of this paragraph.

3. This paragraph does not affect the authority of the office to disapprove a rate as inadequate or to disapprove a filing for the unlawful use of unfairly discriminatory rating factors that are prohibited by the laws of this state. An insurer electing to implement a rate change under this paragraph shall submit a filing to the office at least 40 days prior to the effective date of the rate change. The office shall have 30 days after the filing's submission to review the filing and determine if the rate is inadequate or uses unfairly discriminatory rating factors. Absent a finding by the office within such 30-day period that the rate is inadequate or that the insurer has used unfairly discriminatory rating factors, the filing is deemed approved. If the office finds during the 30-day period that the

filing will result in inadequate premiums or otherwise endanger the insurer's solvency, the office shall suspend the rate decrease. If the insurer is implementing an overall rate increase, the results of which continue to produce an inadequate rate, such increase shall proceed pending additional action by the office to ensure the adequacy of the rate.

4. This paragraph does not apply to rate filings for any insurance other than residential property insurance.

And the directory clause is amended as follows:

On page 28, line 31, delete that line and insert: amended, paragraph (j) is added to that subsection, and subsection (9) is added to that section, to read:

And the title is amended as follows:

On page 131, line 5, after the semicolon (;) insert: specifying certain rate filings as not subject to office determination as excessive or unfairly discriminatory; providing limitations; providing a definition; prohibiting certain rate filings under certain circumstances; preserving the office's authority to disapprove certain rate filings under certain circumstances; providing procedures for insurers submitting certain rate filings; revising provisions providing for recoupment of certain reinsurance costs; specifying nonapplication to certain types of insurance;

Senators Geller, Klein, Campbell and Smith offered the following amendment to **Amendment 1** which was moved by Senator Geller and failed:

Amendment 1E (642576)(with directory and title amendments)—On page 30, between lines 22 and 23, insert:

~~(6)(a) After any action with respect to a rate filing that constitutes agency action for purposes of the Administrative Procedure Act, except for a rate filing for medical malpractice, an insurer may, in lieu of demanding a hearing under s. 120.57, require arbitration of the rate filing. Arbitration shall be conducted by a board of arbitrators consisting of an arbitrator selected by the office, an arbitrator selected by the insurer, and an arbitrator selected jointly by the other two arbitrators. Each arbitrator must be certified by the American Arbitration Association. A decision is valid only upon the affirmative vote of at least two of the arbitrators. No arbitrator may be an employee of any insurance regulator or regulatory body or of any insurer, regardless of whether or not the employing insurer does business in this state. The office and the insurer must treat the decision of the arbitrators as the final approval of a rate filing. Costs of arbitration shall be paid by the insurer.~~

~~(b) Arbitration under this subsection shall be conducted pursuant to the procedures specified in ss. 682.06-682.10. Either party may apply to the circuit court to vacate or modify the decision pursuant to s. 682.13 or s. 682.14. The commission shall adopt rules for arbitration under this subsection, which rules may not be inconsistent with the arbitration rules of the American Arbitration Association as of January 1, 1996.~~

~~(c) Upon initiation of the arbitration process, the insurer waives all rights to challenge the action of the office under the Administrative Procedure Act or any other provision of law; however, such rights are restored to the insurer if the arbitrators fail to render a decision within 90 days after initiation of the arbitration process.~~

And the directory clause is amended as follows:

On page 28, lines 29-31, delete those lines and insert:

Section 7. Effective July 1, 2006, paragraph (b) of subsection (2) of section 627.062, Florida Statutes, is amended, subsection (9) is added to that section, and subsection (6) is amended, to read:

And the title is amended as follows:

On page 131, line 5, after the semicolon (;) insert: repealing the provision that allows an insurer to require arbitration, in lieu of a hearing, relating to a rate filing that constitutes agency action;

Senator Garcia moved the following amendments to **Amendment 1** which were adopted:

Amendment 1F (370084)—On page 32, line 14, delete "*October 1, 2006*" and insert: *March 1, 2007*

Amendment 1G (432364)—On page 33, line 11, delete "*January*" and insert: *July*

Amendment 1H (685232)—On page 35, line 20, delete "*6*" and insert: *7*

Senators Garcia and Alexander offered the following amendments to **Amendment 1** which were moved by Senator Garcia and adopted:

Amendment 1I (642470)—On page 35, line 30 through page 36, line 1, delete those lines and insert:

d. Tenants coverage;

e. Commercial lines residential property; or

f. Any county, district, or municipal hospital; a hospital licensed by any not-for-profit corporation qualified under s. 501(c)(3) of the United States Internal Revenue Code; or a continuing care retirement community that is certified under chapter 651 and that receives an exemption from ad valorem taxes under chapter 196.

Amendment 1J (444056)(with title amendment)—On page 41, line 5 through page 68, line 29, delete those lines and insert: of operation and paragraph *(p)* ~~(g)~~. *Notwithstanding any other provision of this subsection, the aggregate amount of a regular assessment for a deficit incurred in a particular calendar year shall be reduced by the estimated amount to be received by the corporation from the Citizens policyholder surcharge under subparagraph (c)11. and the amount collected or estimated to be collected from the assessment on Citizens policyholders pursuant to sub-subparagraph i.* Assessments levied by the corporation on assessable insureds under sub-subparagraphs a. and b. shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. Upon receipt of regular assessments from surplus lines agents, the Florida Surplus Lines Service Office shall transfer the assessments directly to the corporation as determined by the corporation.

d. Upon a determination by the board of governors that a deficit in an account exceeds the amount that will be recovered through regular assessments under sub-subparagraph a. or sub-subparagraph b., the board shall levy, after verification by the office, emergency assessments, for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance policies. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for subject lines of business and all accounts of the corporation, excluding National Flood Insurance Program policy premiums, as annually determined by the board and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessments so collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and shall be held by the corporation solely in the applicable account. The aggregate amount of emergency assessments levied for an account under this sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for subject lines of business and for all accounts of the corporation for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit.

e. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other

insurance and reinsurance recoverables, *policyholder* ~~market equalization~~ surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph *(p)* ~~(g)~~, bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection, or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the board determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes regular assessments under sub-subparagraph a., sub-subparagraph b., or subparagraph *(p)1.* ~~(g)1.~~ and emergency assessments under sub-subparagraph d. Emergency assessments collected under sub-subparagraph d. are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments under sub-subparagraph d. shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or other indebtedness.

f. As used in this subsection, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners multiperil, commercial multiperil, and mobile homes, and including liability coverage on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1) other than insurance on mobile homes used as permanent dwellings.

g. The Florida Surplus Lines Service Office shall determine annually the aggregate statewide written premium in subject lines of business procured by assessable insureds and shall report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.

h. The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for regular assessments and emergency assessments levied under this subparagraph on assessable insureds and shall assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.

i. If a deficit is incurred in any account, the board of governors shall levy an immediate assessment against the premium of each nonhomestead property policyholder in all accounts of the corporation, as a uniform percentage of the premium of the policy of up to 50 percent of such premium, which funds shall be used to offset the deficit. If this assessment is insufficient to eliminate the deficit, the board of governors shall levy an additional assessment against all policyholders of the corporation, which shall be collected at the time of issuance or renewal of a policy, as a uniform percentage of the premium for the policy of up to 50 percent of such premium, which funds shall be used to further offset the deficit.

j. The board of governors shall maintain separate accounting records that consolidate data for nonhomestead properties, including, but not limited to, number of policies, insured values, premiums written, and losses. The board of governors shall annually report to the office and the Legislature a summary of such data.

(c) The plan of operation of the corporation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which forms must be approved by the office prior to use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which coverage is more limited than the coverage under a standard policy.

c. Commercial lines residential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. that contain more restrictive coverage.

2.a. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the quota share primary insurance agreement, may not be altered by the inability of the other party to the agreement to pay its specified percentage of hurricane losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that neither the authorized insurer nor the corporation may be held responsible beyond its specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the quota share primary insurance agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the

Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under quota share primary insurance agreements, the corporation and the authorized insurer shall maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by Florida Hurricane Catastrophe Fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of quota share agreements, pricing of quota share agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer shall be voluntary and at the discretion of the authorized insurer.

3. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation shall have the power to borrow funds, by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may, but is not required to, seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (g)2., in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation is authorized to take all actions needed to facilitate tax-free status for any such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation shall have the authority to pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, market equalization and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

4.a. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of 8 individuals who are residents of this state, from different geographical areas of this state. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board~~, effective August 1, 2005~~. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance. The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. Any board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board of governors in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board~~, as recommended by the Chief Financial Officer,~~ and serve at the pleasure of the board. *Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate.* The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board ~~and the Chief Financial Officer~~.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage. The members of the advisory committee shall consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members must serve for 3-year terms and may serve for consecutive terms. The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to the provisions of s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, the risk is not eligible for any policy issued by the corporation. If the risk is not able to obtain any such offer, the risk is eligible for either a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk shall be eligible for a basic policy including wind coverage unless rejected under subparagraph 8. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for any policy issued by the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

6. Must provide by July 1, 2007, that an application for coverage for a new policy is subject to a waiting period of 10 days before coverage is effective, during which time the corporation shall make such application available for review by general lines agents and authorized property and casualty insurers. The board may approve exceptions that allow for coverage to be effective before the end of the 10-day waiting period, for coverage issued in conjunction with a real estate closing, and for such other exceptions as the board determines are necessary to prevent lapses in coverage.

7.~~6.~~ Must include rules for classifications of risks and rates therefor.

8.~~7.~~ Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus shall be available to defray deficits in that account as to future years and shall be used for that purpose prior to assessing assessable insurers and assessable insureds as to any calendar year.

9.~~8.~~ Must provide objective criteria and procedures to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 shall not apply.

10.~~9.~~ Must provide that the corporation shall make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

11.~~10.~~ Must provide that in the event of regular deficit assessments under sub-subparagraph (b)3.a. or sub-subparagraph (b)3.b., in the personal lines account, the commercial lines residential account, or the high-risk account, the corporation shall levy upon corporation policyholders in its next rate filing, or by a separate rate filing solely for this purpose, a *Citizens policyholder* ~~market equalization~~ surcharge arising from a regular assessment in such account in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for subject lines of business for the prior calendar year. *For purposes of calculating the Citizens policyholder surcharge to be levied under this subparagraph, the total amount of the regular assessment to which this surcharge is related shall be determined as set forth in subparagraph (b)3., without deducting the estimated Citizens policyholder surcharge. Citizens policyholder* ~~Market equalization~~ surcharges under this subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

12.~~11.~~ The policies issued by the corporation must provide that, if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation.

13.~~12.~~ Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer that does not provide coverage identical to the coverage provided by the corporation. The notice shall also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

14.~~13.~~ May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the corporation. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

15.~~14.~~ Must provide that, with respect to the high-risk account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. *A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the high-risk account in 2006 or thereafter may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds pursuant to s. 627.3512, but the regular assessment must be paid in full within 12 months after being levied by the corporation.* ~~In no event shall a limited apportionment company be required to participate in the portion of any assessment, within the high-risk account, pursuant to sub-subparagraph (b)3.a. or sub-subparagraph (b)3.b. in the aggregate which exceeds $50 million after payment of available high-risk account funds in any calendar year. However,~~ A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan shall provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (g)4. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d.

16.~~15.~~ Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s. 626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing

personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

17. Must provide, by July 1, 2007, a premium payment plan option to its policyholders which allows for quarterly and semiannual payment of premiums.

18. Must provide, effective July 1, 2007, that the corporation contract with each insurer providing the non-wind coverage for risks insured by the corporation in the high-risk account, requiring that the insurer provide claims-adjusting services for the wind coverage provided by the corporation for such risks. An insurer is required to enter into this contract as a condition of providing non-wind coverage for a risk that is insured by the corporation in the high-risk account unless the board finds, after a hearing, that the insurer is not capable of providing adjusting services at an acceptable level of quality to corporation policyholders. The terms and conditions of such contracts must be substantially the same as the contracts that the corporation executed with insurers under the "adjust-your-own" program in 2006, except as may be mutually agreed to by the parties and except for such changes that the board determines are necessary to ensure that claims are adjusted appropriately. The corporation shall provide a process for neutral arbitration of any dispute between the corporation and the insurer regarding the terms of the contract. The corporation shall review and monitor the performance of insurers under these contracts.

19. Must limit coverage on mobile homes or manufactured homes built prior to 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to background checks as a prerequisite for employment. The office shall conduct background checks on such prospective employees pursuant to ss. 624.404(3), 624.34, and 628.261.

2. On or before July 1 of each year, employees of the corporation are required to sign and submit a statement attesting that they do not have a conflict of interest, as defined in part III of chapter 112. As a condition of employment, all prospective employees are required to sign and submit to the corporation a conflict-of-interest statement.

3. Senior managers and members of the board of governors are subject to the provisions of part III of chapter 112, including, but not limited to, the code of ethics and public disclosure and reporting of financial interests, pursuant to s. 112.3145. Senior managers and board members are also required to file such disclosures with the Office of Insurance Regulation. The executive director of the corporation or his or her designee shall notify each newly appointed and existing appointed member of the board of governors and senior managers of their duty to comply with the reporting requirements of part III of chapter 112. At least quarterly, the executive director or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers and members of the board of governors that are subject to the public disclosure requirements under s. 112.3145.

4. Notwithstanding s. 112.3148 or s. 112.3149, or any other provision of law, an employee or board member may not knowingly accept, directly or indirectly, any gift or expenditure from a person or entity, or an employee or representative of such person or entity, that has a contractual relationship with the corporation or who is under consideration for a contract. An employee or board member that fails to comply with this subparagraph is subject to penalties provided under ss. 112.317 and 112.3173.

5. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from representing another person or entity before the corporation for 2 years after retirement or termination of employment from the corporation.

6. Any employee of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from having any employment or contractual relationship for 2 years with an insurer that has received a take-out bonus from the corporation.

(e) Purchases that equal or exceed $2,500, but are less than $25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, whenever practical. The procurement of goods or services valued at or over $25,000 shall be subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(5)(f); or the procurement of services is subject to s. 627.3513. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over $100,000 are subject to approval by the board.

(f) The board shall determine whether it is more cost-effective and in the best interests of the corporation to use legal services provided by in-house attorneys employed by the corporation rather than contracting with outside counsel. In making such determination, the board shall document its findings and shall consider: the expertise needed; whether time commitments exceed in-house staff resources; whether local representation is needed; the travel, lodging and other costs associated with in-house representation; and such other factors that the board determines are relevant.

(g) The corporation may not retain a lobbyist to represent it before the legislative branch or executive branch. However, full-time employees of the corporation may register as lobbyists and represent the corporation before the legislative branch or executive branch.

(h)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by any employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(i) All records of the corporation, except as otherwise provided by law, are subject to the record retention requirements of s. 119.021.

(j)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s.

626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the Division of Insurance Fraud within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

(k) The office shall conduct a comprehensive market conduct examination of the corporation every 2 years to determine compliance with its plan of operation and internal operations procedures. The first market conduct examination report shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2009. Subsequent reports shall be submitted on or before February 1 every 2 years thereafter.

(l) The Auditor General shall conduct an operational audit of the corporations every 3 years to evaluate management's performance in administering laws, policies, and procedures governing the operations of the corporation in an efficient and effective manner. The scope of the review shall include, but is not limited to, evaluating claims handling, customer service, take-out programs and bonuses, financing arrangements, procurement of goods and services, internal controls, and the internal audit function. The initial audit must be completed by February 1, 2009.

(m)~~(d)~~1.*a.* ~~It is the intent of the Legislature that the~~ Rates for coverage provided by the corporation *shall* be actuarially sound and not competitive with approved rates charged in the admitted voluntary market, so that the corporation functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. Rates shall include an appropriate catastrophe loading factor that reflects the actual catastrophic exposure of the corporation. *For policies issued or renewed on or after March 1, 2007, a rate is deemed inadequate if the rate, including investment income, is not sufficient to provide for the procurement of coverage under the Florida Hurricane Catastrophe Fund and private reinsurance costs, whether or not reinsurance is procured, and to pay all claims and expenses reasonably expected to result from a 100-year probable maximum loss event without resort to any regular or emergency assessments, long-term debt, state revenues, or other funding sources.*

b. It is the intent of the Legislature to reaffirm the requirement of rate adequacy in the residual market. Recognizing that rates may comply with the intent expressed in sub-subparagraph a. and yet be inadequate and recognizing the public need to limit subsidies within the residual market, it is the further intent of the Legislature to establish statutory standards for rate adequacy. Such standards are intended to supplement the standard specified in s. 627.062(2)(e)3., providing that rates are inadequate if they are clearly insufficient to sustain projected losses and expenses in the class of business to which they apply.

2. For each county, the average rates of the corporation for each line of business for personal lines residential policies excluding rates for wind-only policies shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 20 insurers with the greatest total direct written premium in the state for that line of business in the preceding year, except that with respect to mobile home coverages, the average rates of the corporation shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 5 insurers with the greatest total written premium for mobile home owner's policies in the state in the preceding year.

3. Rates for personal lines residential wind-only policies must be actuarially sound and not competitive with approved rates charged by authorized insurers. *If the filing under this subparagraph is made at least 90 days before the proposed effective date and the filing is not implemented during the office's review of the filing and any proceeding and judicial review, such filing shall be considered a file and use filing. In such case, the office shall finalize its review by issuance of a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing. The notice of intent to approve and the notice of intent to disapprove constitute agency action for purposes of the Administrative Procedure Act. Requests for supporting information, requests for mathematical or mechanical corrections, or notification to the insurer by the office of its preliminary findings shall not toll the 90-day period during any such proceedings and subsequent judicial review. The rate shall be deemed approved if the office does not issue a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing.* Corporation rate manuals shall include a rate surcharge for seasonal occupancy. To ensure that personal lines residential wind-only rates are not competitive with approved rates charged by authorized insurers, the corporation, in conjunction with the office, shall develop a wind-only ratemaking methodology, which methodology shall be contained in each rate filing made by the corporation with the office. If the office determines that the wind-only rates or rating factors filed by the corporation fail to comply with the wind-only ratemaking methodology provided for in this subsection, it shall so notify the corporation and require the corporation to amend its rates or rating factors to come into compliance within 90 days of notice from the office.

4. The requirements of paragraph (m) that rates not be competitive with approved rates charged by authorized insurers do not apply in a county or area for which the office determines that no authorized insurer is offering coverage. The corporation shall amend its rates or rating factors for the affected county or area in conjunction with its next rate filing after such determination is made.

5.~~4.~~ For the purposes of establishing a pilot program to evaluate issues relating to the availability and affordability of insurance in an area where historically there has been little market competition, the provisions of subparagraph 2. do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies. The provisions of subparagraph 3. do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies in the area of that county which is eligible for wind-only coverage. In this county, the rates for personal lines residential coverage shall be actuarially sound and not excessive, inadequate, or unfairly discriminatory and are subject to the other provisions of the paragraph and s. 627.062. The commission shall adopt rules establishing the criteria for determining whether a reasonable degree of competition exists for personal lines residential policies in Monroe County. By March 1, 2006, the office shall submit a report to the Legislature providing an evaluation of the implementation of the pilot program affecting Monroe County.

6.~~5.~~ Rates for commercial lines coverage shall not be subject to the requirements of subparagraph 2., but shall be subject to all other requirements of this paragraph and s. 627.062.

7.~~6.~~ Nothing in this paragraph shall require or allow the corporation to adopt a rate that is inadequate under s. 627.062.

8.~~7.~~ The corporation shall certify to the office at least twice annually that its personal lines rates comply with the requirements of subparagraphs 1., ~~and~~ 2., *and 3.* If any adjustment in the rates or rating factors of the corporation is necessary to ensure such compliance, the corporation shall make and implement such adjustments and file its revised rates and rating factors with the office. If the office thereafter determines that the revised rates and rating factors fail to comply with the provisions of subparagraphs 1., ~~and~~ 2., *and 3.,* it shall notify the corporation and require the corporation to amend its rates or rating factors in conjunction with its next rate filing. The office must notify the corporation by electronic means of any rate filing it approves for any insurer among the insurers referred to in subparagraph 2.

And the title is amended as follows:

On page 132, line 8 through page 134, line 4, delete those lines and insert: certain circumstances; authorizing the board of governors of the corporation to levy an assessment if certain deficits occur; providing accounting requirements; authorizing the corporation to adopt policy forms that contain more restrictive coverage; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; prescribing an additional surcharge on deficit assessments for certain nonhomestead property; revising the liability of limited apportionment companies for regular assessments; providing for optional payment plans; requiring insurers to provide claims-adjusting services

for certain wind coverage in certain circumstances; requiring the corporation to limit coverage on certain mobile homes; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees of the corporation to sign annually a statement that they have no conflict of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers' representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a takeout bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring employees of the corporation to report suspected fraud; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing requirements for the office with respect to rate filings; specifying circumstances under which a rate is deemed inadequate; providing a rate

Senator Geller moved the following amendment to **Amendment 1** which was adopted:

Amendment 1K (065346)(with title amendment)—On page 65, line 7 through page 70, line 26, delete those lines and insert:

(m)~~(d)~~1. It is the intent of the Legislature that the rates for coverage provided by the corporation be actuarially sound and not competitive with approved rates charged in the admitted voluntary market, so that the corporation functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. Rates shall include an appropriate catastrophe loading factor that reflects the actual catastrophic exposure of the corporation.

2.*a. Except as provided in subparagraph 3.,* for each county, the average rates of the corporation for each line of business for personal lines residential policies excluding rates for wind-only policies shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 20 insurers with the greatest total direct written premium in the state for that line of business in the preceding year, except that with respect to mobile home coverages, the average rates of the corporation shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 5 insurers with the greatest total written premium for mobile home owner's policies in the state in the preceding year.

b.~~3.~~ Rates for personal lines residential wind-only policies must be actuarially sound and not competitive with approved rates charged by authorized insurers. Corporation rate manuals shall include a rate surcharge for seasonal occupancy. To ensure that personal lines residential wind-only rates are not competitive with approved rates charged by authorized insurers, the corporation, in conjunction with the office, shall develop a wind-only ratemaking methodology, which methodology shall be contained in each rate filing made by the corporation with the office. If the office determines that the wind-only rates or rating factors filed by the corporation fail to comply with the wind-only ratemaking methodology provided for in this subsection, it shall so notify the corporation and require the corporation to amend its rates or rating factors to come into compliance within 90 days of notice from the office.

3. The provisions of sub-subparagraph 2.a. do not apply to coverage provided by the corporation in any area of a postal zip code for which the office determines that no competition exists for personal lines residential policies. The provisions of sub-subparagraph 2.b. do not apply to coverage provided by the corporation in any area of a postal zip code for which the office determines that no competition exists for personal lines residential policies in the portion of the area of that postal zip code which is eligible for wind-only coverage. In such postal zip code areas, the rates for personal lines residential coverage must only be actuarially sound and not excessive, inadequate, or unfairly discriminatory and are subject to the other provisions of this paragraph and s. 627.062. The commission shall adopt rules establishing criteria for determining whether no competition exists for personal lines residential policies in an area of a postal zip code. Beginning October 1, 2006, and each 3 months thereafter, the office shall determine and identify for purposes of this subparagraph those areas of postal zip codes for which no competition exists for personal lines residential policies.

4. For the purposes of establishing a pilot program to evaluate issues relating to the availability and affordability of insurance in an area where historically there has been little market competition, the provisions of *sub-subparagraph 2.a.* ~~subparagraph 2.~~ do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies. The provisions of *sub-subparagraph 2.b.* ~~subparagraph 3.~~ do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies in the area of that county which is eligible for wind-only coverage. In this county, the rates for personal lines residential coverage shall be actuarially sound and not excessive, inadequate, or unfairly discriminatory and are subject to the other provisions of the paragraph and s. 627.062. The commission shall adopt rules establishing the criteria for determining whether a reasonable degree of competition exists for personal lines residential policies in Monroe County. By March 1, 2006, the office shall submit a report to the Legislature providing an evaluation of the implementation of the pilot program affecting Monroe County.

5. Rates for commercial lines coverage shall not be subject to the requirements of *sub-subparagraph 2.a.* ~~subparagraph 2.~~, but shall be subject to all other requirements of this paragraph and s. 627.062.

6. Nothing in this paragraph shall require or allow the corporation to adopt a rate that is inadequate under s. 627.062.

7. The corporation shall certify to the office at least twice annually that its personal lines rates comply with the requirements of *this paragraph* ~~subparagraphs 1. and 2~~. If any adjustment in the rates or rating factors of the corporation is necessary to ensure such compliance, the corporation shall make and implement such adjustments and file its revised rates and rating factors with the office. If the office thereafter determines that the revised rates and rating factors fail to comply with the provisions of *this paragraph* ~~subparagraphs 1. and 2.~~, *the office* ~~it~~ shall notify the corporation and require the corporation to amend its rates or rating factors in conjunction with its next rate filing. The office must notify the corporation by electronic means of any rate filing it approves for any insurer among the insurers referred to in *sub-subparagraph 2.a* ~~subparagraph 2~~.

8. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided for in s. 624.509 to augment the financial resources of the corporation.

9.~~a.~~ To assist the corporation in developing additional ratemaking methods to *ensure* ~~assure~~ compliance with *this paragraph* ~~subparagraphs 1. and 4.~~, the corporation shall appoint a rate methodology panel consisting of one person recommended by the Florida Association of Insurance Agents, one person recommended by the Professional Insurance Agents of Florida, one person recommended by the Florida Association of Insurance and Financial Advisors, one person recommended by the insurer with the highest voluntary market share of residential property insurance business in the state, one person recommended by the insurer with the second-highest voluntary market share of residential property insurance business in the state, one person recommended by an insurer writing commercial residential property insurance in this state, one person recommended by the Office of Insurance Regulation, and one board member designated by the board chairman, who shall serve as chairman of the panel.

~~b. By January 1, 2004, the rate methodology panel shall provide a report to the corporation of its findings and recommendations for the use of additional ratemaking methods and procedures, including the use of a rate equalization surcharge in an amount sufficient to assure that the total cost of coverage for policyholders or applicants to the corporation is sufficient to comply with subparagraph 1.~~

~~c. Within 30 days after such report, the corporation shall present to the President of the Senate, the Speaker of the House of Representatives, the minority party leaders of each house of the Legislature, and the chairs of the standing committees of each house of the Legislature having jurisdiction of insurance issues, a plan for implementing the additional ratemaking methods and an outline of any legislation needed to facilitate use of the new methods.~~

~~d. The plan must include a provision that producer commissions paid by the corporation shall not be calculated in such a manner as to include any rate equalization surcharge. However, without regard to the plan to be developed or its implementation, producer commissions paid by the corporation for each account, other than the quota share primary program, shall remain fixed as to percentage, effective rate, calculation, and payment method until January 1, 2004.~~

10. ~~By January 1, 2004,~~ The corporation shall develop a notice to policyholders or applicants that the rates of Citizens Property Insurance Corporation are intended to be higher than the rates of any admitted carrier and providing other information the corporation deems necessary to assist consumers in finding other voluntary admitted insurers willing to insure their property.

And the title is amended as follows:

On page 134, lines 11-14, delete those lines and insert: providing additional legislative intent relating to coverage rates provided by the Citizens Property Insurance Corporation; specifying nonapplication of certain policy requirements in postal zip code areas lacking any competition for personal lines residential policies under certain circumstances; requiring the Financial Services Commission to adopt rules; requiring the Office of Insurance Regulation to periodically determine and identify postal zip code areas in which no competition exists for personal lines residential policies; deleting an obsolete rate methodology panel reporting requirement provision; prescribing requirements for paying

Senators Garcia and Alexander offered the following amendment to **Amendment 1** which was moved by Senator Garcia and adopted:

Amendment 1L (651338)(with title amendment)—On page 91, between lines 7 and 8, insert:

(dd)1. For policies subject to nonrenewal as a result of the risk being no longer eligible for coverage due to being valued at $1 million or more, the corporation shall, directly or through the market assistance plan, make information from confidential underwriting and claims files of policyholders available only to licensed general lines agents who register with the corporation to receive such information according to the following procedures:

2. By August 1, 2006, the corporation shall provide such policyholders who are not eligible for renewal the opportunity to request in writing, within 30 days after the notification is sent, that information from their confidential underwriting and claims files not be released to licensed general lines agents registered pursuant to this paragraph.

3. By August 1, 2006, the corporation shall make available to licensed general lines agents the registration procedures to be used to obtain confidential information from underwriting and claims files for such policies not eligible for renewal. As a condition of registration, the corporation shall require the licensed general lines agent to attest that the agent has the experience and relationships with authorized or surplus lines carriers to attempt to offer replacement coverage for such policies.

4. By September 1, 2006, the corporation shall make available through a secured website to licensed general lines agents registered pursuant to this paragraph application, rating, loss history, mitigation, and policy type information relating to such policies not eligible for renewal and for which the policyholder has not requested the corporation withhold such information. The registered licensed general lines agent may use such information to contact and assist the policyholder in securing replacement policies and the agent may disclose to the policyholder that such information was obtained from the corporation.

And the title is amended as follows:

On page 135, line 1, after the semicolon(;) insert: requiring that the corporation make certain information concerning policies ineligible for renewal available to licensed general lines agents unless the policyholder has requested that the corporation withhold such information; providing registration requirements in order for an agent to obtain such information; authorizing a registered agent to contact and assist a policyholder in securing a replacement policy;

RECONSIDERATION OF AMENDMENT

On motion by Senator Geller, the Senate reconsidered the vote by which **Amendment 1K (065346)** by Senator Geller was adopted. **Amendment 1K** was withdrawn.

Senators Klein and Campbell offered the following amendment to **Amendment 1** which was moved by Senator Klein and failed:

Amendment 1M (090876)(with title amendment)—On page 96, between lines 6 and 7, insert:

Section 18. Subsection (7) is added to section 627.4133, Florida Statutes, to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(7) An insurer may not cancel or nonrenew a residential property insurance policy of a policyholder who has been continuously insured with that insurer or with an insurer within the same insurance group for 3 years or longer for any reason other than a fraudulent act by the policyholder with respect to that or another policy.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 135, line 28, after the semicolon(;) insert: amending s. 627.4133, F.S.; prohibiting an insurer from canceling or failing to renew policies of certain policyholders except in certain situations;

Senator Campbell moved the following amendment to **Amendment 1** which failed:

Amendment 1N (624552)—On page 97, line 31 through page 98, line 3, delete those lines and insert: *declarations page; or*

(b) The reasonable and necessary cost to replace the

Senator Fasano moved the following amendments to **Amendment 1** which were adopted:

Amendment 1O (734270)—On page 105, lines 10-12, delete those lines and insert:

(4) Neutral evaluation is nonbinding, but mandatory if requested by either party. A request for neutral evaluation may be filed

Amendment 1P (460852)—On page 107, lines 9-14, delete those lines and insert:

(13) The recommendation of the neutral evaluator is not binding on any party, and the parties retain access to court. The neutral evaluator's written recommendation is admissible in any subsequent action or proceeding relating to the claim or to the cause of action giving rise to the claim.

Amendment 1Q (305910)—On page 107, line 28 through page 108, line 3, delete those lines and insert:

(15) If the insurer timely agrees in writing to comply and timely complies with the recommendation of the neutral evaluator, but the policyholder declines to resolve the matter in accordance with the recommendation of the neutral evaluator pursuant to this section:

a. The insurer is not liable for extra-contractual damages related to a claim for a sinkhole loss but only as related to the issues determined by the neutral evaluation process. This section does not affect or impair claims for extra contractual damages unrelated to the issues determined by the neutral evaluation process contained in this section; and

b. The insurer is not liable for attorney's fees under s. 627.428 or other provisions of the insurance code unless the policyholder obtains a judgment that is more favorable than the recommendation of the neutral evaluator.

Amendment 1R (401582)(with title amendment)—On page 108, lines 4-13, delete those lines

And the title is amended as follows:

On page 137, delete line 14 and insert: amending s.

SENATOR CARLTON PRESIDING

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

Amendment 1S (401062)(with title amendment)—On page 125, line 16 through page 128, line 16, delete those lines and insert:

Section 38. *(1) For the 2006-2007 fiscal year, the sum of $250 million is appropriated on a nonrecurring basis from the General Revenue Fund to the Insurance Regulatory Trust Fund in the Department of Financial Services for purposes of the Florida Comprehensive Hurricane Damage Mitigation Program specified in s. 215.5586, Florida Statutes, as created by this act. The department shall establish a separate account within the trust fund for accounting purposes.*

(2) The sum of $250 million is appropriated from the Insurance Regulatory Trust Fund in the Department of Financial Services for the purposes set forth in subsection (1). The department may expend up to 1 percent of the funds appropriated to administer the program. Beginning October 15, 2007, and quarterly thereafter, the Chief Financial Officer shall provide a report to the Executive Office of the Governor and the chair and vice chair of the Legislative Budget Commission containing information regarding expenditures made for the purposes set forth in subsection (1).

(3) Notwithstanding the provisions of s. 216.301, Florida Statutes, to the contrary, the unexpended balance of appropriations authorized in subsections (1) and (2) shall not revert until June 30, 2009.

Section 39. *The sum of $250 million is appropriated from the General Revenue Fund on a nonrecurring basis to the State Board of Administration for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, Florida Statutes, as created by this act. Costs and fees incurred by the board in administering this program, including fees for investment services, shall be paid from funds appropriated by the Legislature for this program, but are limited to 1 percent of the amount appropriated. Notwithstanding the provisions of s. 216.301, Florida Statutes, to the contrary, the unexpended balance of this appropriation shall not revert until June 30, 2007.*

Section 40. *(1) The Legislature finds that the hurricanes of 2004 and 2005 caused unprecedented property damage that led to increased property insurance premiums and deficits in state-created insurance entities, resulted in assessments that were recouped by insurers from policyholders, and future assessments are expected to be levied against insurers and policyholders. Hurricane damage and losses require permanent residents who are homeowners and mobile homeowners to incur extraordinary costs associated with preparing and protecting their families and property from potential or actual storm damage. Florida has experienced a budget surplus in the 2005-2006 fiscal year, which is due in part to escalating property and construction material prices that are paid disproportionately by permanent residents of homes and mobile homes. The Legislature intends to provide insurance premium and related tax relief and refund to these Floridians a portion of the budget surplus.*

(2) For the 2006-2007 fiscal year, the sum of $715 million is appropriated from nonrecurring funds in the General Revenue Fund to the Department of Financial Services to be used to issue a refund of insurance premiums and related state taxes paid in 2006 and expected to be paid in 2007 of up to $140 per eligible household, and as further provided in this section. As used in this section, the term "department" means the Department of Financial Services.

(3) The refund shall be issued in the form of a check drawn on the General Revenue Fund. Each check shall be payable to the owner of an eligible household. If there are multiple owners of an eligible household, the check shall be made jointly payable to the multiple owners. Not more than one refund shall be paid to any owner or coowner of an eligible household. Refund checks shall be mailed as soon as practical.

(4)(a) The department shall determine the number of refund checks and the identity of payees.

(b) The Department of Revenue and the Department of Highway Safety and Motor Vehicles shall assist the department in compiling the list of eligible households, mailing the refund checks, and reviewing petitions of eligible households for refunds. The list must be in the format specified by the department.

(c) If the number of refund checks determined pursuant to paragraph (a) multiplied by $140 exceeds the appropriation available for such purpose, the department shall reduce the refund amount per check in an amount sufficient to reduce the sum of the refunds to equal the appropriation. Otherwise, the refund amount per check shall be $140.

(5) After the department has mailed refund checks to all known eligible households, the department shall specify a time period during which eligible households that have not received a refund check may petition the department for a refund check. Denial of the application represents final agency action and is subject to judicial review under s. 120.68, Florida Statutes. Failure to file a petition with the department during the time period specified by the department constitutes a waiver of any claim for a refund under this section. The refund amount per check shall be the amount per check determined pursuant to paragraph (3)(c).

(6) Any person who knowingly and willfully gives false information for the purpose of claiming a refund under this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082, Florida Statutes, or by a fine not exceeding $5,000, or both.

(7) Notwithstanding s. 17.26, Florida Statutes, warrants that are not presented within 6 months after issuance shall be void. The uncashed amounts shall be available for making refund payments pursuant to this act.

(8) As used in this section, the term "eligible household" means:

(a) A permanent residence as defined in s. 196.012, Florida Statutes, who qualifies for the homestead exemption under s. 6, Art. VII of the State Constitution and s. 196.031, Florida Statutes, as shown on the 2006 property tax rolls as certified by the county property appraiser to the Department of Revenue pursuant to s. 193.1142, Florida Statutes; or

(b) A mobile home that does not qualify pursuant to paragraph (a), owned by a person who permanently resides in that mobile home, and for which the annual registration is current as of July 1, 2006, pursuant to chapter 320, Florida Statutes. Permanent residency must be established pursuant to the factors listed in s. 196.015, Florida Statutes.

(9) From the funds appropriated by this section:

(a) The amount of $705,350,000 may be used by the Department of Financial Services for refund checks that are initially mailed to owners of all known eligible households;

(b) The amount of $2.2 million may be transferred to, and used by, the Department of Revenue for the purpose of administering this section;

(c) The amount of $150,000 may be transferred to and used by the Department of Highway Safety and Motor Vehicles for the purpose of administering this section;

(d) The amount of $2.3 million may be used by the Department of Financial Services for the purpose of administering this act; and

(e) The amount of $5 million may be used by the Department of Financial Services for refund payments pursuant to applications filed after the initial refund checks are mailed to owners of all known eligible households. Any unused portion of the appropriation available for refund payments initially mailed to owners of all known eligible households shall be available for refund payments pursuant to applications filed during the time period specified by the department.

And the title is amended as follows:

On page 140, lines 2-21, delete those lines and insert: providing appropriations; making legislative findings regarding hurricane damage and the impact on insurance premiums; providing legislative intent to provide insurance premium and related tax relief; requiring the Department of Financial Services to issue refunds of up to a specified amount per eligible household; providing for the refund check to be drawn on the General Revenue Fund; providing limitations on refunds; requiring the Department of Revenue and the Department of Highway Safety and

Motor Vehicles to assist the department in responsibilities related to the refunds; providing a method for calculating the amount of the refund; requiring the department to establish a time period during which an eligible household not in receipt of a refund may petition for a refund; providing that denial of an application represents final agency action that is subject to judicial review under s. 120.68, F.S.; providing a penalty for giving false information; providing that warrants not presented within 6 months are void; defining the term "eligible household"; allocating the appropriations for providing and administering the refunds; repealing s.

Senator Garcia moved the following amendment to **Amendment 1**:

Amendment 1T (802186)(with title amendment)—On page 128, lines 17 and 18, delete those lines and insert:

Section 41. Subsections (4) and (6) of section 215.559, Florida Statutes, are amended to read:

215.559 Hurricane Loss Mitigation Program.—

(4)*(a)* Forty percent of the total appropriation in paragraph (2)(a) shall be used to inspect and improve tie-downs for mobile homes. ~~Within 30 days after the effective date of that appropriation, the department shall contract with a public higher educational institution in this state which has previous experience in administering the programs set forth in this subsection to serve as the administrative entity and fiscal agent pursuant to s. 216.346 for the purpose of administering the programs set forth in this subsection in accordance with established policy and procedures. The administrative entity working with the advisory council set up under subsection (6) shall develop a list of mobile home parks and counties that may be eligible to participate in the tie-down program.~~

(b)1. There is created the Manufactured Housing and Mobile Home Mitigation and Enhancement Program. The program shall require the mitigation of damage to or the enhancement of homes for the areas of concern raised by the Department of Highway Safety and Motor Vehicles in the 2004-2005 Hurricane Reports on the effects of the 2004 and 2005 hurricanes on manufactured and mobile homes in this state. The mitigation or enhancement must include, but need not be limited to, problems associated with weakened trusses, studs, and other structural components caused by wood rot or termite damage; site-built additions; or tie-down systems and may also address any other issues deemed appropriate by Tallahassee Community College, the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The program shall include an education and outreach component to ensure that owners of manufactured and mobile homes are aware of the benefits of participation.

2. The program shall be a grant program that ensures that entire manufactured home communities and mobile home parks may be improved wherever practicable. The moneys appropriated for this program shall be distributed directly to Tallahassee Community College for the uses set forth under this subsection.

3. Upon evidence of completion of the program, the Citizens Property Insurance Corporation shall grant, on a pro-rata basis, actuarially reasonable discounts, credits, or other rate differentials or appropriate reductions in deductibles for the properties of owners of manufactured homes or mobile homes on which fixtures or construction techniques that have been demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The discount on the premium must be applied to subsequent renewal premium amounts. Premiums of the Citizens Property Insurance Corporation must reflect the location of the home and the fact that the home has been installed in compliance with building codes adopted after Hurricane Andrew. Rates resulting from the completion of the Manufactured Housing and Mobile Home Mitigation and Enhancement Program are not considered competitive rates for the purposes of s. 627.351(6)(d)1. and 2.

4. On or before January 1 of each year, Tallahassee Community College shall provide a report of activities under this subsection to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must set forth the number of homes that have taken advantage of the program, the types of enhancements and improvements made to the manufactured or mobile homes and attachments to such homes, and whether there has been an increase in availability of insurance products to owners of manufactured or mobile homes. Tallahassee Community College shall develop the programs set forth in this subsection in consultation with the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The moneys appropriated for the programs set forth in this subsection shall be distributed directly to Tallahassee Community College to be used as set forth in this subsection.

(6) *Except for the programs set forth in subsection (4),* the Department of Community Affairs shall develop the programs set forth in this section in consultation with an advisory council consisting of a representative designated by the Chief Financial Officer, a representative designated by the Florida Home Builders Association, a representative designated by the Florida Insurance Council, a representative designated by the Federation of Manufactured Home Owners, a representative designated by the Florida Association of Counties, and a representative designated by the Florida Manufactured Housing Association.

Section 42. *Of the funds appropriated for the Home Retrofit Hardening Program specified in s. 215.558, Florida Statutes, $7.5 million shall be appropriated to the Department of Financial Services for the Manufacturing Housing and Mobile Home Mitigation and Enhancement Program specified in s. 215.559(4)(b)1., Florida Statutes, as created by this act. The Department of Financial Services shall contract with Tallahassee Community College to implement the Manufactured Housing and Mobile Home Mitigation and Enhancement Program.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 140, lines 21-25, delete those lines and insert: for a violation; defining terms; amending s. 215.559, F.S.; requiring an annual appropriation; requiring the use of appropriated moneys for a specified purpose; deleting obsolete language; creating the Manufactured Housing and Mobile Home Mitigation and Enhancement Program for specified purposes; requiring Tallahassee Community College to develop the program in consultation with certain entities; specifying certain requirements of the program as to certain concerns of the Department of Highway Safety and Motor Vehicles relating to manufactured homes and mobile homes; specifying that the program is a grant program for the improvement of mobile home and manufactured home parks; providing for the distribution of the grants to Tallahassee Community College for specified purposes; requiring the Citizens Property Insurance Corporation to grant certain insurance discounts, credits, rate differentials, or reductions in deductibles for property insurance premiums for owners of manufactured homes or mobile homes; specifying criteria for such premiums; specifying funding for tie-down enhancement systems; requiring Tallahassee Community College to provide an annual report on the program to the Governor and the Legislature; providing requirements relating to the report; providing an appropriation; providing effective dates.

Senator Garcia moved the following substitute amendment for **Amendment 1T** which was adopted:

Amendment 1U (165230)(with title amendment)—On page 18, between lines 17 and 18, insert:

Section 3. Subsections (4) and (6) of section 215.559, Florida Statutes, are amended to read:

215.559 Hurricane Loss Mitigation Program.—

(4)*(a)* Forty percent of the total appropriation in paragraph (2)(a) shall be used to inspect and improve tie-downs for mobile homes. ~~Within 30 days after the effective date of that appropriation, the department shall contract with a public higher educational institution in this state which has previous experience in administering the programs set forth in this subsection to serve as the administrative entity and fiscal agent pursuant to s. 216.346 for the purpose of administering the programs set forth in this subsection in accordance with established policy and procedures. The administrative entity working with the advisory council set up under subsection (6) shall develop a list of mobile home parks and counties that may be eligible to participate in the tie-down program.~~

(b)1. There is created the Manufactured Housing and Mobile Home Mitigation and Enhancement Program. The program shall require the mitigation of damage to or the enhancement of homes for the areas of concern raised by the Department of Highway Safety and Motor Vehicles

in the 2004-2005 Hurricane Reports on the effects of the 2004 and 2005 hurricanes on manufactured and mobile homes in this state. The mitigation or enhancement must include, but need not be limited to, problems associated with weakened trusses, studs, and other structural components caused by wood rot or termite damage; site-built additions; or tie-down systems and may also address any other issues deemed appropriate by Tallahassee Community College, the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The program shall include an education and outreach component to ensure that owners of manufactured and mobile homes are aware of the benefits of participation.

2. The program shall be a grant program that ensures that entire manufactured home communities and mobile home parks may be improved wherever practicable. The moneys appropriated for this program shall be distributed directly to Tallahassee Community College for the uses set forth under this subsection.

3. Upon evidence of completion of the program, the Citizens Property Insurance Corporation shall grant, on a pro-rata basis, actuarially reasonable discounts, credits, or other rate differentials or appropriate reductions in deductibles for the properties of owners of manufactured homes or mobile homes on which fixtures or construction techniques that have been demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The discount on the premium must be applied to subsequent renewal premium amounts. Premiums of the Citizens Property Insurance Corporation must reflect the location of the home and the fact that the home has been installed in compliance with building codes adopted after Hurricane Andrew. Rates resulting from the completion of the Manufactured Housing and Mobile Home Mitigation and Enhancement Program are not considered competitive rates for the purposes of s. 627.351(6)(d)1. and 2.

4. On or before January 1 of each year, Tallahassee Community College shall provide a report of activities under this subsection to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must set forth the number of homes that have taken advantage of the program, the types of enhancements and improvements made to the manufactured or mobile homes and attachments to such homes, and whether there has been an increase in availability of insurance products to owners of manufactured or mobile homes.

Tallahassee Community College shall develop the programs set forth in this subsection in consultation with the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The moneys appropriated for the programs set forth in this subsection shall be distributed directly to Tallahassee Community College to be used as set forth in this subsection.

(6) *Except for the programs set forth in subsection (4),* the Department of Community Affairs shall develop the programs set forth in this section in consultation with an advisory council consisting of a representative designated by the Chief Financial Officer, a representative designated by the Florida Home Builders Association, a representative designated by the Florida Insurance Council, a representative designated by the Federation of Manufactured Home Owners, a representative designated by the Florida Association of Counties, and a representative designated by the Florida Manufactured Housing Association.

Section 4. *Of the funds appropriated for the Florida Comprehensive Hurricane Damage Mitigation Program specified in s. 215.5586, Florida Statutes, as created by this act, $7.5 million shall be for the Manufactured Housing and Mobile Home Mitigation and Enhancement Program specified in s. 215.559(4)(b), Florida Statutes, as created by this act. The Department of Financial Services shall use these funds to contract with Tallahassee Community College to implement the Manufactured Housing and Mobile Home Mitigation and Enhancement Program.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 129, line 26, after the semicolon (;) insert: amending s. 215.559, F.S.; creating the Manufactured Housing and Mobile Home Mitigation and Enhancement Program for specified purposes; requiring Tallahassee Community College to develop the program in consultation with certain entities; specifying requirements of the program as to certain concerns of the Department of Highway Safety and Motor Vehicles relating to manufactured homes and mobile homes; specifying that the program is a grant program for the improvement of mobile home and manufactured home parks; providing for the distribution of the grants to Tallahassee Community College for specified purposes; requiring the Citizens Property Insurance Corporation to grant certain insurance discounts, credits, rate differentials, or reductions in deductibles for property insurance premiums for owners of manufactured homes or mobile homes; specifying criteria for such premiums; specifying funding for tie-down enhancement systems; requiring Tallahassee Community College to provide an annual report on the program to the Governor and the Legislature; providing requirements relating to the report; providing an appropriation;

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendments to be considered:

Senator Garcia moved the following amendments to **Amendment 1** which were adopted:

Amendment 1V (392164)—On page 14, line 2, after the period (.) insert: *This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations.*

Amendment 1W (235142)—On page 18, line 17, after the period (.) insert: *The department shall also adopt rules establishing priorities for grants provided under this section based on objective criteria that gives priority to reducing the state's probable maximum loss from hurricanes. However, pursuant to this overall goal, the department may further establish priorities based on the insured value of the dwelling, whether or not the dwelling is insured by Citizens Property Insurance Corporation and whether or not the area under consideration has sufficient resources and the ability to perform the retrofitting required.*

MOTION

On motion by Senator Atwater, the rules were waived to allow the following amendments to be considered:

Senators Atwater and Garcia offered the following amendments to **Amendment 1** which were moved by Senator Atwater and adopted:

Amendment 1X (261984)(with title amendment)—On page 65, line 15, after the period (.) insert: *For policies issued or renewed on or after March 1, 2007, a rate is deemed inadequate if the rate, including investment income, is not sufficient to provide for the procurement of coverage under the Florida Hurricane Catastrophe Fund and private reinsurance costs, whether or not reinsurance is procured, and to pay all claims and expenses reasonably expected to result from a 70-year probable maximum loss event with resort to any regular or emergency assessments, long-term debt, state revenues, or other funding sources. For policies issued or renewed in 2008 and 2009, the rate must be based upon an 85-year and 100-year probable maximum loss event, respectively.*

And the title is amended as follows:

On page 134, line 2, after the semicolon (;) insert: specifying circumstances under which a rate is deemed inadequate for certain policies; requiring the rate for certain policies to be based on certain loss events;

Amendment 1Y (151522)(with title amendment)—On page 96, lines 15-28, delete those lines and insert: *mortgageholder or lienholder, for amounts payable under the policy for personal property and contents, additional living expenses, and other covered items that are not subject to a recorded security interest that is noted in the dual interest provision of the policy.*

And the title is amended as follows:

On page 136, lines 1-3, delete those lines and insert: interest property; amending s. 627.7011, F.S.; limiting

Senators Garcia and Alexander offered the following amendment to **Amendment 1** which was moved by Senator Garcia:

Amendment 1Z (263532)—On page 36, lines 5-10, delete those lines and insert:

5. Effective July 1, 2008, a personal lines residential structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and content replacement cost of $1 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on June 30, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage in the high-risk account and be considered "nonhomestead property" if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agent has made his or her best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage.

6. Effective March 1, 2007, nonhomestead property is not eligible for coverage by the corporation and is not eligible for renewal of such coverage unless the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agent has made his or her best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers.

7.~~3.~~ It is the intent of the Legislature that

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senators Garcia and Campbell offered the following substitute amendment for **Amendment 1Z** which was moved by Senator Garcia and adopted:

Amendment 1AA (671830)—On page 36, lines 5-10, delete those lines and insert:

5. Effective July 1, 2008, a personal lines residential structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and content replacement cost of $1 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on June 30, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage in the high-risk account and be considered "nonhomestead property" if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agent has made his or her best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

6. Effective March 1, 2007, nonhomestead property is not eligible for coverage by the corporation and is not eligible for renewal of such coverage unless the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agent has made his or her best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers.

7.~~3.~~ It is the intent of the Legislature that

MOTION

On motion by Senator Posey, the rules were waived to allow the following amendment to be considered:

Senator Posey moved the following amendment to **Amendment 1** which was adopted:

Amendment 1BB (150954)(with title amendment)—On page 128, between lines 18 and 19, insert:

Section 42. Subsection (1) and paragraph (b) of subsection (2) of section 627.4133, Florida Statutes, are amended to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(1) Except as provided in subsection (2):

(a) An insurer issuing a policy providing coverage for workers' compensation and employer's liability insurance, property, casualty, except mortgage guaranty, surety, or marine insurance, other than motor vehicle insurance subject to s. 627.728, shall give the named insured at least 45 days' advance written notice of nonrenewal or of the renewal premium. If the policy is not to be renewed, the written notice shall state the reason or reasons as to why the policy is not to be renewed. This requirement applies only if the insured has furnished all of the necessary information so as to enable the insurer to develop the renewal premium prior to the expiration date of the policy to be renewed.

(b) An insurer issuing a policy providing coverage for property, casualty, except mortgage guaranty, surety, or marine insurance, other than motor vehicle insurance subject to s. 627.728 or s. 627.7281, shall give the named insured written notice of cancellation or termination other than nonrenewal at least 45 days prior to the effective date of the cancellation or termination, including in the written notice the reason or reasons for the cancellation or termination, except that:

1. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. *As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full*; and

2. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

After the policy has been in effect for 90 days, no such policy shall be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. ~~The provisions of~~ This subsection *does* ~~shall~~ not apply to individually rated risks having a policy term of less than 90 days.

(c) If an insurer fails to provide the 45-day or 20-day written notice required under this section, the coverage provided to the named insured shall remain in effect until 45 days after the notice is given or until the effective date of replacement coverage obtained by the named insured, whichever occurs first. The premium for the coverage shall remain the same during any such extension period except that, in the event of failure to provide notice of nonrenewal, if the rate filing then in effect would have resulted in a premium reduction, the premium during such extension of coverage shall be calculated based upon the later rate filing.

(2) With respect to any personal lines or commercial residential property insurance policy, including, but not limited to, any homeowner's, mobile home owner's, farmowner's, condominium association, condominium unit owner's, apartment building, or other policy covering a residential structure or its contents:

(b) The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 90 days prior to the effective date of the nonrenewal, cancellation, or termination. The notice must include the reason or reasons for the nonrenewal, cancellation, or termination, except that:

1. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. *As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full.*

2. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

After the policy has been in effect for 90 days, the policy shall not be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. This paragraph does not apply to individually rated risks having a policy term of less than 90 days.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 140, line 25, after the semicolon (;) insert: amending s. 627.4133, F.S.; defining the term "nonpayment of premium" for purposes of insurance contracts;

Amendment 1 as amended failed.

On motion by Senator Garcia, further consideration of **CS for CS for SB 1980** was deferred.

Consideration of **CS for SB 1858** was deferred.

On motion by Senator Argenziano, by two-thirds vote **HB 1015** was withdrawn from the Committees on Agriculture; Community Affairs; and Environmental Preservation.

On motion by Senator Argenziano—

HB 1015—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1880** and read the second time by title.

Senator Argenziano moved the following amendments which were adopted:

Amendment 1 (043122)—On lines 199-202, delete those lines and insert:

(c) Is surrounded on at least 75 percent of its

Amendment 2 (934604)—Lines 222-224, delete those lines and insert: *residents per square mile,*

Senator Posey moved the following amendment:

Amendment 3 (072676)(with title amendment)—Between lines 382 and 383, insert:

Section 9. *For purposes of ss. 810.08 and 810.09, Florida Statutes, a person may not lawfully remain on any property or in any structure that is held open to the public generally for commercial purposes and that sells agricultural products or is permitted under chapter 500, Florida Statutes, after the owner or its agent orders that person to leave the premises because the person is engaged in an activity deemed by the owner or its agent to be detrimental to the commercial purposes for which the premises is held open to the public.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 27, after the semicolon (;) insert: prohibiting persons from remaining on certain property that sells agricultural products or is permitted under ch. 500, F.S., after the owner or its agent orders the person to leave for specified reasons;

POINT OF ORDER

Senator Klein raised a point of order that pursuant to Rule 7.1, **Amendment 3** was not germane to the bill; contained language of a bill reported unfavorably by a Senate committee; and contained language of a bill not reported favorably by all Senate committees and was therefore out of order.

The President referred the point of order and the amendment to Senator Pruitt, Chair of the Committee on Rules and Calendar.

On motion by Senator Argenziano, further consideration of **HB 1015** with pending **Amendment 3 (072676)** and pending point of order was deferred.

RECONSIDERATION OF BILL

On motion by Senator Sebesta, the rules were waived and the Senate reconsidered the vote by which—

CS for CS for SB 1766—A bill to be entitled An act relating to transportation; amending s. 112.061, F.S.; authorizing metropolitan planning organizations and certain separate entities to establish per diem and travel reimbursement rates; amending s. 121.021, F.S.; revising the definition of "local agency employer" to include metropolitan planning organizations and certain separate entities for purposes of the

Florida Retirement System Act; revising the definition of "regularly established position" to include positions in metropolitan planning organizations; amending s. 121.051, F.S.; providing for metropolitan planning organizations to participate in the Florida Retirement System; amending s. 121.055, F.S.; requiring certain metropolitan planning organization and similar entity staff positions to be in the Senior Management Service Class of the Florida Retirement System; amending s. 121.061, F.S.; providing for enforcement of certain employer funding contributions required under the Florida Retirement System; authorizing deductions of amounts owed from certain funds distributed to a metropolitan planning organization; authorizing the governing body of a metropolitan planning organization to file and maintain an action in court to require an employer to remit retirement or social security member contributions or employer matching payments; amending s. 121.081, F.S.; providing for metropolitan planning organization officers and staff to claim past service for retirement benefits; amending s. 311.22, F.S.; revising the funding for certain dredging projects; amending s. 320.20, F.S.; revising the distribution of license tax moneys deposited in the State Transportation Trust Fund for the funding of the Florida Seaport Transportation and Economic Development program and certain seaport intermodal access projects; requiring the Florida Seaport Transportation and Economic Development Council to submit a list of certain freight mobility projects to the Department of Transportation; requiring the council and the department to agree upon the projects selected for funding; requiring the department to include the selected projects for funding in the tentative work program; providing that refunding bonds shall be issued by the Division of Bond Finance at the request of the department; providing for funding the construction of wharves and docks; requiring that a certain sum of money be deposited in the State Transportation Trust Fund for the funding of the Florida Seaport Transportation and Economic Development program and certain seaport intermodal access projects; providing for distribution of revenues for the funding of certain seaport intermodal access projects; creating s. 336.68, F.S.; providing that a property owner having real property located within the boundaries of a community development district and a special road and bridge district may select the community development district to be the provider of the road and drainage improvements to the property of the owner; authorizing the owner of the property to withdraw the property from the special road and bridge district; specifying the procedures and criteria required in order to remove the real property from the special road and bridge district; authorizing the governing body of the special road and bridge district to file a written objection to the proposed withdrawal of the property; amending s. 339.155, F.S.; authorizing the development of additional regional transportation plans by regional transportation planning organizations in certain areas; providing membership requirements for regional transportation planning organizations comprising representatives of transportation planning and economic development interests within a region; authorizing a regional transportation planning organization to be expanded upon agreement of the regional transportation authority and representatives of the area to be expanded into, or mode to be included; providing for the development of by-laws and establishing minimum terms for certain members of the regional transportation authority; creating the Bay Area Transportation Regional Planning Organization in Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties, comprised of representatives of transportation planning and economic development interests within the region; authorizing the Bay Area Regional Transportation Planning Organization to be expanded upon agreement of the regional transportation authority and of the area to be expanded into, or mode to be included; providing for the development of by-laws and establishing minimum terms for certain members of the regional transportation representatives authority; precluding regional transportation organization members from compensation; providing an appropriation; amending s. 339.2819, F.S.; providing that the Transportation Regional Incentive Program may fund up to 75 percent of costs for projects identified in a regional transportation plan developed by a regional transportation planning organization; amending s. 339.175, F.S.; specifying that a metropolitan planning organization is a separate legal entity independent of entities represented on the M.P.O. and signatories to the agreement creating the M.P.O.; providing for transfer of responsibilities and liabilities to the new M.P.O. upon execution of a new interlocal agreement by the governmental entities constituting the M.P.O.; providing for selection of certain officers and an agency clerk; revising requirements for voting membership; specifying that certain constitutional officers are not elected officials of a general-purpose local government for voting membership purposes; establishing a process for appointing alternate members; revising provisions for nonvoting advisers; revising provisions for employment of staff by an M.P.O.; providing for training of certain persons who serve on an M.P.O. for certain purposes; providing additional powers and duties of M.P.O.'s; revising voting requirements for approval of certain plans and programs and amendments thereto; requiring the Florida Transportation Commission to conduct a study of the progress made by M.P.O.'s to establish improved coordinated transportation planning processes; requiring a report; detailing the issues the report must consider; requiring that the report be submitted to the Governor and the Legislature by a specified date; amending s. 20.23, F.S.; providing that the salary and benefits of the executive director of the Florida Transportation Commission shall be set in accordance with the Senior Management Service; amending s. 332.007, F.S.; authorizing the Department of Transportation to provide funds for certain general aviation projects under certain circumstances; amending s. 332.007, F.S., relating to the administration and financing of aviation and airport operational and maintenance projects of publicly owned airports; changing the expiration date of the financial programs to the year 2012 from 2007; amending s. 212.055, F.S.; deleting a restriction on the frequency with which bonds may be issued under s. 212.055(2), F.S.; allowing counties that are not charter counties to levy, by ordinance, a county transportation system surtax; requiring that a discretionary sales surtax that is to be adopted by referendum be placed on the ballot at a time set at the discretion of the governing body of a county; requiring that the proceeds from a surtax be distributed to a county and to each municipality within the county according to an interlocal agreement or an apportionment factor; providing that the proceeds from the surtax be used for certain purposes as considered appropriate by the county commission; amending s. 336.025, F.S.; deleting a restriction on the frequency with which bonds may be issued under this section; amending s. 339.08, F.S.; allowing moneys in the State Transportation Trust Fund to be used to pay the cost of the Enhanced Bridge Program; creating s. 339.282, F.S.; creating the Enhanced Bridge Program for Sustainable Transportation within the Department of Transportation; providing for the use of funds in the program; providing project guidelines for program funding; creating s. 339.284, F.S.; providing certain incentives for certain private-sector contributions to improve transportation facilities; providing for the contribution to be applied as a credit against transportation concurrency requirements; providing procedures and criteria; amending s. 316.650, F.S.; revising procedures for disposition of citations issued for failure to pay toll; providing that the citation will not be submitted to the court and no points will be assessed on the driver's license if the person cited elects to make payment directly to the governmental entity that issued the citation; providing for reporting of the citation by the governmental entity to the Department of Highway Safety and Motor Vehicles; amending s. 318.14, F.S.; providing for the amount required to be paid under certain procedures for disposition of a citation issued for failure to pay a toll; providing for the person cited to request a court hearing; amending s. 318.18, F.S.; revising penalties for failure to pay a prescribed toll; providing for disposition of amounts received by the clerk of court; revising procedures for withholding of adjudication; providing for suspension of a driver's license under certain circumstances; amending s. 348.754, F.S.; authorizing the Orlando-Orange County Expressway Authority to waive payment and performance bonds on certain construction contracts if the contract is awarded pursuant to an economic development program for the encouragement of local small businesses; providing criteria for participation in the program; providing criteria for the bond waiver; providing for certain determinations by the authority's executive director or a designee as to the suitability of a project; providing for certain payment obligations if a payment and performance bond is waived; requiring the authority to record notice of the obligation; limiting eligibility to bid on the projects; providing for the authority to conduct bond-eligibility training for certain businesses; requiring the authority to submit biennial reports to the Orange County legislative delegation; amending s. 348.0004, F.S.; authorizing transportation authorities, bridge authorities, or toll authorities to enter agreements with private entities to provide transportation facilities; amending s. 348.0012, F.S.; clarifying certain exemptions from the Florida Expressway Authority Act; requiring the Legislative Committee on Intergovernmental Relations to study methods to incentivize and reward certain local governments; requiring state agencies to provide data for the study; requiring the committee to submit a report summarizing its findings; providing an effective date.

—as amended passed May 4.

Senators Sebesta and Webster offered the following amendment which was moved by Senator Sebesta and adopted by two-thirds vote:

Amendment 1 (335362)—On page 21, line 21 through page 27, line 30, delete those lines and insert: subsection. ~~The revenues available~~

~~under this subsection shall not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; provided, however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. No refunding bonds secured by revenues available under this subsection may be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds.~~ Any revenue bonds or other indebtedness issued after July 1, 2000, *including* ~~other than~~ refunding bonds*,* shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act. *This provision shall expire on June 30, 2037, but shall continue until all bonds are paid from the Florida Ports Financing Commission Series 1996 Bonds or any subsequent refunding bond issue that shall not extend the term of the Series 1996 Bonds, or new bonds issued that shall have a term no later than 2037.*

(4) Notwithstanding any other provision of law except subsections (1), (2), and (3), on July 1, 1999, and annually thereafter, $10 million shall be deposited in the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided in chapter 311 and for funding seaport intermodal access projects of statewide significance as provided in s. 341.053. Such revenues shall be distributed to any port listed in s. 311.09(1), to be used for funding projects as follows:

(a) For any seaport intermodal access projects that are identified in the 1997-1998 Tentative Work Program of the Department of Transportation, up to the amounts needed to offset the funding requirements of this section.

(b) For seaport intermodal access projects as described in s. 341.053(5) that are identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3). Funding for such projects shall be on a matching basis as mutually determined by the Florida Seaport Transportation and Economic Development Council and the Department of Transportation, provided a minimum of 25 percent of total project funds shall come from any port funds, local funds, private funds, or specifically earmarked federal funds.

(c) On a 50-50 matching basis for projects as described in s. 311.07(3)(b).

(d) For seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors,~~;~~ or the *construction or* rehabilitation of wharves, docks, or similar structures. Funding for such projects shall require a 25-percent match of the funds received pursuant to this subsection. Matching funds shall come from any port funds, federal funds, local funds, or private funds.

Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt shall not constitute a general obligation of the state. This state does hereby covenant with holders of such revenue bonds or other instruments of indebtedness issued hereunder that it will not repeal or impair or amend this subsection in any manner which will materially and adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be utilized for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07 and subsection (3). The Florida Seaport Transportation and Economic Development Council shall *submit to the Department of Transportation a list of strategic transportation, economic development, and freight mobility projects that contribute to the economic growth of the state and that* ~~approve distribution of funds to ports for projects that~~ have been approved pursuant to s. 311.09(5)-(9), or *that have been approved* for seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3) ~~and mutually agreed upon by the FSTED Council and the Department of Transportation~~. *The Department of Transportation shall approve the prioritization and selection of projects for funding. The Department of Transportation shall include the selected projects for funding in the tentative work program developed pursuant to s. 339.135.* All contracts for actual construction of projects authorized by this subsection must include a provision encouraging employment of participants in the welfare transition program. The goal for employment of participants in the welfare transition program is 25 percent of all new employees employed specifically for the project, unless the Department of Transportation and the Florida Seaport Transportation and Economic Development Council demonstrate that such a requirement would severely hamper the successful completion of the project. In such an instance, Workforce Florida, Inc., shall establish an appropriate percentage of employees that must be participants in the welfare transition program. The council and the Department of Transportation are authorized to perform such acts as are required to facilitate and implement the provisions of this subsection*, including the funding of approved projects by the use of other state funding programs, local contributions from seaports, and the creative use of federal funds*. To better enable the ports to cooperate to their mutual advantage, the governing body of each port may exercise powers provided to municipalities or counties in s. 163.01(7)(d) subject to the provisions of chapter 311 and special acts, if any, pertaining to a port. The use of funds provided pursuant to this subsection is limited to eligible projects listed in this subsection. The provisions of s. 311.07(4) do not apply to any funds received pursuant to this subsection. ~~The revenues available under this subsection shall not be pledged to the payment of any bonds other than the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds currently outstanding; provided, however, such revenues may be pledged to secure payment of refunding bonds to refinance the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds. No refunding bonds secured by revenues available under this subsection may be issued with a final maturity later than the final maturity of the Florida Ports Financing Commission Series 1996 and Series 1999 Bonds or which provide for higher debt service in any year than is currently payable on such bonds.~~ Any revenue bonds or other indebtedness issued after July 1, 2000, *including* ~~other than~~ refunding bonds*,* shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act. *This provision shall expire on June 30, 2037, but shall continue until all bonds are paid from the Florida Ports Financing Commission Series 1996 Bonds or any subsequent refunding bond issue that shall not extend the term of the Series 1996 Bonds, or new bonds issued that shall have a term no later than 2037.*

(5) Notwithstanding any other provision of law except subsections (1), (2), (3), and (4), on July 1, 2006, and annually thereafter, $5 million shall be deposited in the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development Program as provided in chapter 311 and for funding seaport intermodal access projects of statewide significance as provided in s. 341.053. Such revenues shall be distributed to any port listed in s. 311.09(1), to be used for funding projects as follows:

(a) For any seaport intermodal access projects that are identified in the Tentative Work Program of the Department of Transportation for the 2006-2007 to 2010-2011 fiscal years, up to the amounts needed to offset the funding requirements of this section.

(b) For seaport intermodal access projects as described in s. 341.053(5) which are identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3), funding shall require at least a 25-percent match of the funds received pursuant to this subsection. Matching funds shall come from any port funds, federal funds, local funds, or private funds.

(c) For seaport projects as described in s. 311.07(3)(b), funds shall be provided on a 50-50 matching basis.

(d) For seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors, or the construction or rehabilitation of wharves, docks, or similar structures, funding shall require at least a 25-percent match of the funds received pursuant to this subsection. Matching funds shall come from any port funds, federal funds, local funds, or private funds.

Such revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act. However, such debt does not constitute a general obligation of the state. This state covenants with holders of such revenue bonds or other instruments of indebtedness issued under this subsection that it will not

repeal or impair or amend this subsection in any manner that will materially and adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this subsection may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07 and subsections (3) and (4). The Florida Seaport Transportation and Economic Development Council shall submit to the Department of Transportation a list of strategic transportation, economic development, and freight mobility projects that contribute to the economic growth of the state and that have been approved pursuant to s. 311.09(5)-(9), or that have been approved for seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3). The Department of Transportation shall approve the prioritization

Senator Diaz de la Portilla moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (863788)(with title amendment)—On page 69, between lines 7 and 8, insert:

Section 31. *Brickell Avenue designated; signs, mailing addresses, listings, and markers.—*

(1) Notwithstanding ss. 267.062 and 334.071, Florida Statutes, that portion of S.E. 2nd Avenue from the Miami River Bridge north to S.E. 2nd Street is designated as "Brickell Avenue."

(2) The City of Miami is authorized and directed to change street signs and markers, mailing addresses, and 911 emergency telephone number system listings to reflect the designation.

(3) The City of Miami is authorized and directed to erect the appropriate signs and markers upon Brickell Avenue as described in subsection (1).

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 9, line 3, after the semicolon (;) insert: designating Brickell Avenue in Miami-Dade County; directing the City of Miami to change street signs and markers, mailing addresses, and emergency telephone number listings and to erect appropriate markers;

On motion by Senator Sebesta, **CS for CS for SB 1766** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

Consideration of **CS for CS for SB 282** and **CS for CS for SB 2102** was deferred.

On motion by Senator Posey, by two-thirds vote **HB 1123** was withdrawn from the Committees on Governmental Oversight and Productivity; General Government Appropriations; Ways and Means; and Rules and Calendar.

On motion by Senator Posey, the rules were waived and—

HB 1123—A bill to be entitled An act relating to government accountability; creating ch. 21, F.S., the Florida Government Accountability Act; providing definitions; creating the Legislative Sunset Advisory Committee; providing for appointment, qualifications, and terms of committee members; providing for vacancies; providing for organization and procedure; authorizing reimbursement for certain expenses; providing for employment of staff; providing a schedule for abolishing state agencies and advisory committees; prescribing required content for agency reports to the committee; providing for review of agencies and their advisory committees by the Office of Program Policy Analysis and Government Accountability; prescribing duties of the committee in reviewing reports, consulting with other legislative entities, holding public hearings, and making a report and recommendations to the legislative leadership with respect to agencies scheduled for abolition; providing for monitoring committee recommendations; providing review criteria; specifying recommendation options; authorizing exemption from certain review for certain agencies; providing for continuation of state agencies and their advisory committees by default under certain circumstances; providing for continuation of state agencies and their advisory committees, by law, under certain circumstances; providing for legislative consideration of proposals with respect to such recommendations; providing procedures after termination; providing for issuance of subpoenas; authorizing reimbursement for travel and per diem for witnesses; providing for assistance of and access to state agencies; providing applicability with respect to certain rights, penalties, liabilities, and proceedings; providing for review of proposed legislation creating a new agency or advisory committee; amending s. 216.023, F.S.; requiring that performance measures and standards and outsourcing cost-benefit and business case analyses identify impacts on agency activities; creating a working group to develop instructions for agencies regarding the computation of activity and unit cost information required to be included in legislative budget requests; providing an effective date.

—a companion measure, was substituted for **CS for SB 2460** and read the second time by title.

Senator Posey moved the following amendment which was adopted:

Amendment 1 (170338)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 11.901, Florida Statutes, is created to read:

11.901 Short title.—Sections 11.901-11.920 may be cited as the "Florida Government Accountability Act."

Section 2. Section 11.902, Florida Statutes, is created to read:

11.902 Definitions.—As used in ss. 11.901-11.920, the term:

(1) "State agency" or "agency" means a department as defined in s. 20.03(2) or any other administrative unit of state government scheduled for termination and prior review under this chapter.

(2) "Advisory committee" means any examining and licensing board, council, advisory council, committee, task force, coordinating council, commission, or board of trustees as defined in s. 20.03(3), (7), (8), (9), (10), or (12) or any group, by whatever name, created to provide advice or recommendations to one or more agencies, departments, divisions, bureaus, boards, sections, or other units or entities of state government.

(3) "Committee" means any Legislative Sunset Advisory Committee appointed pursuant to s. 11.903.

Section 3. Section 11.903, Florida Statutes, is created to read:

11.903 Legislative Sunset Advisory Committees.—

(1) The Senate and House of Representatives may, pursuant to the rules of each house, appoint one or more standing or select committees as a Legislative Sunset Advisory Committee to advise the Legislature regarding the agency sunsets required by ss. 11.901-11.920.

(2) The Senate and House of Representatives may, pursuant to the joint rules of both houses, appoint one or more joint committees as a Legislative Sunset Advisory Committee to advise the Legislature regarding the agency sunsets required by ss. 11.901-11.920.

(3) Members shall serve terms of 2 years.

(4) Initial appointments shall be made not later than November 30, 2006, and subsequent appointments shall be made not later than January 15 of the year following each organization session of the Legislature.

(5) If a legislative member ceases to be a member of the house from which he or she was appointed, the member vacates his or her membership on the committee.

Section 4. Section 11.904, Florida Statutes, is created to read:

11.904 Staff.—The Senate and the House of Representatives may each employ staff to work for the chair and vice chair of the committee on matters related to committee activities. The Auditor General and the Office of Program Policy Analysis and Government Accountability shall assist the committee in conducting its review under s. 11.910.

Section 5. Section 11.905, Florida Statutes, is created to read:

11.905 Schedule for reviewing state agencies and advisory committees.—The following state agencies, including their advisory committees, or the following advisory committees of agencies shall be reviewed according to the following schedule:

(1) Reviewed July 1, 2008:

(a) Statutorily created responsibilities of the Fish and Wildlife Conservation Commission.

(b) Department of Agriculture and Consumer Services.

(c) Department of Citrus, including the Citrus Commission.

(d) Department of Environmental Protection.

(e) Department of Highway Safety and Motor Vehicles.

(f) Water management districts.

(2) Reviewed July 1, 2009:

(a) Department of Children and Family Services.

(b) Department of Community Affairs.

(c) Department of Management Services.

(d) Department of State.

(3) Reviewed July 1, 2010:

(a) Advisory committees for the Florida Community College System.

(b) Advisory committees for the State University System.

(c) Agency for Workforce Innovation.

(d) Department of Education.

(e) Department of the Lottery.

(4) Reviewed July 1, 2011:

(a) Agency for Health Care Administration.

(b) Agency for Persons with Disabilities.

(c) Department of Elderly Affairs.

(d) Department of Health.

(5) Reviewed July 1, 2012:

(a) Department of Business and Professional Regulation.

(b) Department of Transportation.

(c) Department of Veterans' Affairs.

(6) Reviewed July 1, 2013:

(a) Advisory committees for the State Board of Administration.

(b) Department of Financial Services, including the Financial Services Commission.

(c) Department of Revenue.

(7) Reviewed July 1, 2014:

(a) Department of Corrections.

(b) Department of Juvenile Justice.

(c) Department of Law Enforcement.

(d) Department of Legal Affairs.

(e) Justice Administrative Commission.

(f) Parole Commission.

(8) Reviewed July 1, 2015:

(a) Executive Office of the Governor.

(b) Florida Public Service Commission.

Section 6. Section 11.9055, Florida Statutes, is amended to read:

Section 11.9055 Abolition of state agencies and advisory committees.—

(1) An agency subject to review by the Legislative Committee on Sunset Review shall be abolished on June 30 following the date of review specified in s.11.905, unless the Legislature continues the agency or advisory committee; however, an agency may not be abolished unless the Legislature finds, pursuant to law, that all state laws the agency had responsibility to implement or enforce have been repealed, revised, or reassigned to another remaining agency and that adequate provision has been made for the transfer to a successor agency of all duties and obligations relating to bonds, loans, promissory notes, lease purchase agreements, installment sales contracts, certificates of participation, master equipment financing agreements, or any other form of indebtedness such that security therefor and the rights of bondholders or holders of other indebtedness are not impaired.

(2) If the Legislature does not take action before the date of review to continue the agency or advisory committee, the agency shall submit its legislative budget request consistent with recommendations of the appropriate Legislative Committee on Sunset Review or any law transferring the agency's functions to other entities.

Section 7. Section 11.906, Florida Statutes, is created to read:

11.906 Agency report to committee.—Not later than January 1 of the year preceding the year in which a state agency and its advisory committees are scheduled to be reviewed, the agency shall provide the committee with a report that includes:

(1) The performance measures for each program and activity as provided in s. 216.011 and 3 years of data for each measure that provides actual results for the immediately preceding 2 years and projected results for the current fiscal year.

(2) An explanation of factors that have contributed to any failure to achieve the legislative standards.

(3) The promptness and effectiveness with which the agency disposes of complaints concerning persons affected by the agency.

(4) The extent to which the agency has encouraged participation by the public in making its rules and decisions as opposed to participation solely by those it regulates and the extent to which public participation has resulted in rules compatible with the objectives of the agency.

(5) The extent to which the agency has complied with applicable requirements of state law and applicable rules regarding purchasing goals and programs for historically underutilized businesses.

(6) A statement of any statutory objectives intended for each program and activity, the problem or need that the program and activity were

intended to address, and the extent to which these objectives have been achieved.

(7) An assessment of the extent to which the jurisdiction of the agency and its programs overlap or duplicate those of other agencies and the extent to which the programs can be consolidated with those of other agencies.

(8) An assessment of less restrictive or alternative methods of providing services for which the agency is responsible which would reduce costs or improve performance while adequately protecting the public.

(9) An assessment of the extent to which the agency has corrected deficiencies and implemented recommendations contained in reports of the Auditor General, the Office of Program Policy Analysis and Government Accountability, legislative interim studies, and federal audit entities.

(10) The extent to which the agency enforces laws relating to potential conflicts of interest of its employees.

(11) The extent to which the agency complies with public records and public meetings requirements under chapters 119 and 286 and s. 24, Art. I of the State Constitution.

(12) The extent to which alternative program-delivery options, such as privatization or insourcing, have been considered to reduce costs or improve services to state residents.

(13) Recommendations to the committee for statutory or budgetary changes that would improve program operations, reduce costs, or reduce duplication.

(14) The effect of federal intervention or loss of federal funds if the agency, program, or activity is abolished.

(15) A list of all advisory committees, including those established in statute and those established by managerial initiative; their purpose, activities, composition, and related expenses; the extent to which their purposes have been achieved; and the rationale for continuing or eliminating each advisory committee.

(16) Agency programs or functions that are performed without specific statutory authority.

(17) Other information requested by the committee.

Information and data reported by the agency shall be validated by its agency head and inspector general before submission to the committee.

Section 8. Section 11.907, Florida Statutes, is created to read:

11.907 Legislative review.—Upon receipt of an agency report pursuant to s. 11.906, the Office of Program Policy Analysis and Government Accountability shall conduct a program evaluation and justification review, as defined in s. 11.513, of the agency and its advisory committees. The review shall be comprehensive in its scope and consider the information provided by the agency report in addition to information deemed necessary by the office and the Legislative Sunset Advisory Committee. The Office of Program Policy Analysis and Government Accountability shall submit its report to the committee and to the President of the Senate and the Speaker of the House of Representatives by October 31 of the year in which the agency submits its report. The Office of Program Policy Analysis and Government Accountability shall include in its report recommendations for consideration by the committee.

Section 9. Section 11.908, Florida Statutes, is created to read:

11.908 Committee duties.—No later than March 1 of the year in which a state agency or its advisory committees are scheduled to be reviewed, the committee shall:

(1) Review the information submitted by the agency and the report of the Office of Program Policy Analysis and Government Accountability.

(2) Consult with the Legislative Budget Commission, relevant substantive and appropriations committees of the Senate and the House of Representatives, the Governor's Office of Policy and Budgeting, the Auditor General, and the Chief Financial Officer, or their successors, on the application to the agency and its advisory committees of the criteria provided in s. 11.910.

(3) Hold public hearings to consider this information as well as other information and testimony that the committee deems necessary.

(4) Present to the President of the Senate and the Speaker of the House of Representatives a report on the agencies and advisory committees scheduled to be reviewed that year by the committee. In the report, the committee shall include its specific findings and recommendations regarding each of the criteria prescribed by s. 11.910 and shall also make recommendations as described in s. 11.911.

Section 10. Section 11.910, Florida Statutes, is created to read:

11.910 Criteria for review.—The committee shall consider the following criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees:

(1) Agency compliance with the accountability measures, as analyzed by the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Office of Policy and Budget within the Executive Office of the Governor, pursuant to ss. 216.013 and 216.023(4) and (5).

(2) The efficiency with which the agency or advisory committee operates.

(3) The statutory objectives of the agency or advisory committee and the problem or need that the agency or advisory committee is intended to address, the extent to which the objectives have been achieved, and any activities of the agency in addition to those granted by statute and the authority for these activities.

(4) An assessment of less restrictive or alternative methods of providing any regulatory function for which the agency is responsible while adequately protecting the public.

(5) The extent to which the advisory committee is needed and is used.

(6) The extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies.

(7) Whether the agency has recommended to the Legislature statutory changes calculated to be of benefit to the public rather than to an occupation, business, or institution that the agency regulates.

(8) The promptness and effectiveness with which the agency disposes of complaints concerning persons affected by the agency.

(9) The extent to which the agency has encouraged participation by the public in making its rules and decisions as opposed to participation solely by those it regulates and the extent to which the public participation has resulted in rules compatible with the objectives of the agency.

(10) The extent to which the agency has complied with applicable requirements of state law and applicable rules of any state agency regarding purchasing goals and programs for historically underutilized businesses.

(11) The extent to which changes are necessary in the enabling statutes of the agency so that the agency can adequately comply with the criteria listed in this section.

(12) The extent to which the agency adopts and enforces rules relating to potential conflicts of interest of its employees.

(13) The extent to which the agency complies with public records and public meetings requirements under chapters 119 and 287 and s. 24, Art. I of the State Constitution and follows records management practices that enable the agency to respond efficiently to requests for public information.

(14) The extent to which the agency accurately reports performance measures used to justify state spending on each of its activities, services, and programs.

(15) The effect of federal intervention or loss of federal funds if the agency is abolished.

(16) Whether any advisory committee or any other part of the agency exercises its powers and duties independently of the direct supervision of the agency head in violation of s. 6, Art. IV of the State Constitution.

Section 11. Section 11.911, Florida Statutes, is created to read:

11.911 Recommendations.—In its report on a state agency, the committee shall:

(1) Make recommendations on the abolition, continuation, or reorganization of each state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees.

(2) Make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review.

(3) Include drafts of legislation necessary to carry out the committee's recommendations under subsection (1) or subsection (2).

Section 12. Section 11.917, Florida Statutes, is created to read:

11.917 Procedure after termination.—

(1) Any unobligated and unexpended appropriations of an abolished agency or advisory committee shall revert on the date of abolition.

(2) Except as provided in subsection (4) or as otherwise provided by law, all money in a trust fund of an abolished state agency or advisory committee is transferred to the General Revenue Fund. Any provision of law dedicating the money to a trust fund of an abolished agency becomes void on the date of abolition.

(3)(a) If not otherwise provided by law, property in the custody of an abolished state agency or advisory committee shall be transferred to the Department of Management Services.

(b) If not otherwise provided by law, records in the custody of an abolished state agency or advisory committee shall be transferred to the Department of State.

(4) The Legislature recognizes the state's continuing obligation to pay bonds and all other financial obligations, including contracts, loans, promissory notes, lease purchase agreements, certificates of participation, installment sales contracts, master equipment financing agreements, and any other form of indebtedness, incurred by the state or any state agency or public entity abolished under ss. 11.910-11.920, and ss. 11.910-ll.920 do not impair or impede the payment of bonds and other financial obligations, or any other covenant contained in the legal documents authorizing the issuance of debt or the execution of any other financial obligation in accordance with their terms. If the state or an abolished state agency has outstanding bonds or other outstanding financial obligations, the bonds and all other financial obligations remain valid and enforceable in accordance with their terms and subject to all applicable terms and requirements contained in the legal documents authorizing the issuance of debt or the execution of any other financial obligation. If not otherwise provided by law, the Division of Bond Finance of the State Board of Administration shall carry out all covenants contained in the bonds and in the resolutions authorizing the issuance of bonds, and perform all obligations required thereby. The state or a designated state agency shall provide for the payment of the bonds and all other financial obligations from the sources of payment specified in the resolution or legal documents authorizing the issuance or execution thereof in accordance with the terms of the bonds or other financial obligations, whether from taxes, specified revenues, or otherwise, until the bonds and interest on the bonds are paid in full and all other financial obligations are performed and paid in full. All funds or accounts established by laws or legal documents authorizing the issuance of bonds, or the execution of other financial obligations, shall remain with the previously designated party, agency, or trustee. Any funds or accounts held by an abolished state agency shall be transferred to a designated successor agency or trustee in compliance with the resolution or legal documents applicable to the outstanding bonds or other financial obligations.

Section 13. Section 11.918, Florida Statutes, is created to read:

11.918 Subpoena power.—Any Legislative Sunset Advisory Committee may take under investigation any matter within the scope of a sunset review either completed or then being conducted by the committee, and, in connection with such investigation, may exercise the powers of subpoena by law vested in a standing committee of the Legislature pursuant to s. 11.143.

Section 14. Section 11.919, Florida Statutes, is created to read:

11.919 Assistance of and access to state agencies.—

(1) The committee may request the assistance of state agencies and officers. When assistance is requested, a state agency or officer shall assist the committee.

(2) In carrying out its functions under ss. 11.901-11.920, the committee or its designated staff member may inspect the records, documents, and files of any state agency.

Section 15. Section 11.920, Florida Statutes, is created to read:

11.920 Saving provision.—Except as otherwise expressly provided by law, abolition of a state agency does not affect rights and duties that matured, penalties that were incurred, civil or criminal liabilities that arose, or proceedings that were begun before the abolition.

Section 16. Paragraphs (h), (i), (j), and (k) are added to subsection (1) of section 216.013, Florida Statutes, and subsection (5) of that section is amended, to read:

216.013 Long-range program plan.—State agencies and the judicial branch shall develop long-range program plans to achieve state goals using an interagency planning process that includes the development of integrated agency program service outcomes. The plans shall be policy based, priority driven, accountable, and developed through careful examination and justification of all agency and judicial branch programs.

(1) Long-range program plans shall provide the framework for the development of budget requests and shall identify or update:

(h) Legislatively approved output and outcome performance measures. Each performance measure must identify the associated activity contributing to the measure from those identified in accordance with s. 216.023(4)(b).

(i) Performance standards for each performance measure and justification for the standards and the sources of data to be used for measurement. Performance standards must include standards for each affected activity and be expressed in terms of the associated unit of activity.

(j) Prior-year performance data on approved performance measures and an explanation of deviation from expected performance. Performance data must be assessed for reliability in accordance with s. 20.055.

(k) Proposed performance incentives and disincentives.

(5) ~~Following the adoption of the annual General Appropriations Act,~~ The state agencies and the judicial branch shall make appropriate adjustments to their long-range program plans*, excluding adjustments to performance measures and standards,* to be consistent with the appropriations ~~and performance measures~~ in the General Appropriations Act and legislation implementing the General Appropriations Act. Agencies and the judicial branch have *30 days subsequent to the effective date of the General Appropriations Act and implementing legislation* ~~until June 30~~ to make adjustments to their plans as posted on their Internet websites.

Section 17. Subsections (4) of section 216.023, Florida Statutes, is amended to read:

216.023 Legislative budget requests to be furnished to Legislature by agencies.—

(4)(a) The legislative budget request must contain for each program:

1. The constitutional or statutory authority for a program, a brief purpose statement, and approved program components.

2. Information on expenditures for 3 fiscal years (actual prior-year expenditures, current-year estimated expenditures, and agency budget requested expenditures for the next fiscal year) by appropriation category.

3. Details on trust funds and fees.

4. The total number of positions (authorized, fixed, and requested).

5. An issue narrative describing and justifying changes in amounts and positions requested for current and proposed programs for the next fiscal year.

6. Information resource requests.

~~7. Legislatively approved output and outcome performance measures and any proposed revisions to measures.~~

~~8. Proposed performance standards for each performance measure and justification for the standards and the sources of data to be used for measurement.~~

~~9. Prior-year performance data on approved performance measures and an explanation of deviation from expected performance. Performance data must be assessed for reliability in accordance with s. 20.055.~~

~~10. Proposed performance incentives and disincentives.~~

7.~~11.~~ Supporting information, including applicable cost-benefit analyses, business case analyses, performance contracting procedures, service comparisons, and impacts on performance standards for any request to outsource or privatize agency functions. *The cost-benefit and business case analyses must include an assessment of the impact on each affected activity from those identified in accordance with paragraph (b). Performance standards must include standards for each affected activity and be expressed in terms of the associated unit of activity.*

8.~~12.~~ An evaluation of any major outsourcing and privatization initiatives undertaken during the last 5 fiscal years having aggregate expenditures exceeding $10 million during the term of the contract. The evaluation shall include an assessment of contractor performance, a comparison of anticipated service levels to actual service levels, and a comparison of estimated savings to actual savings achieved. Consolidated reports issued by the Department of Management Services may be used to satisfy this requirement.

(b) It is the intent of the Legislature that total accountability measures, including unit-cost data, serve not only as a budgeting tool but also as a policymaking tool and an accountability tool. Therefore, each state agency and the judicial branch must submit a ~~one-page~~ summary of information for the preceding year in accordance with the legislative budget instructions. Each ~~one-page~~ summary *must provide a one-page overview and* must contain:

1. The final budget for the agency and the judicial branch.

2. Total funds from the General Appropriations Act.

3. Adjustments to the General Appropriations Act.

4. The line-item listings of all activities.

5. The number of activity units performed or accomplished.

6. Total expenditures for each activity, including amounts paid to contractors and subordinate entities. Expenditures related to administrative activities not aligned with output measures must consistently be allocated to activities with output measures prior to computing unit costs.

7. The cost per unit for each activity, including the costs allocated to contractors and subordinate entities.

8. The total amount of reversions and pass-through expenditures omitted from unit-cost calculations.

At the regular session immediately following the submission of the agency unit cost summary, the Legislature shall reduce in the General Appropriations Act for the ensuing fiscal year, by an amount equal to at least 10 percent of the allocation for the fiscal year preceding the current fiscal year, the funding of each state agency that fails to submit the report required under this paragraph.

Section 18. *To assist in the development of legislative budget request instructions for agencies regarding the computation of activity and unit cost information required to be included in legislative budget requests under s. 216.023(4)(b), Florida Statutes, a working group consisting of representatives from the Executive Office of the Governor, the Office of Program Policy Analysis and Government Accountability, the Auditor General, the Department of Financial Services, and legislative appropriations committees shall be created, effective July 1, 2006, to develop a cost-allocation methodology for agencies to use in the computation of activity and unit costs. The working group, in developing the cost-allocation methodology, shall consider the standards and guidelines identified in the Federal Office of Management and Budget Circular A-87. In addition, this working group shall recommend procedures to ensure that the recommended cost-allocation methodology produces auditable activity and unit cost information that can be produced currently by the state accounting system and that can be used to compare the performance of each reported activity over time and of agencies and private entities that perform similar activities. The working group shall submit its recommendations, including the associated implementation and operating costs, to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2006.*

Section 19. *The sum of $400,000 is appropriated from the General Revenue Fund to the Office of Program Policy Analysis and Government Accountability for the purpose of carrying out the provisions of this act during the 2006-2007 fiscal year.*

Section 20. *For the purposes of carrying out the provisions of this act during the 2006-2007 fiscal year, the sum of $400,000 is appropriated from the General Revenue Fund and five full-time equivalent positions and associated rate are authorized in a lump-sum category in Administered Funds.*

Section 21. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to government accountability; creating s. 11.901, F.S., the Florida Government Accountability Act; creating s. 11.902, F.S.; providing definitions; creating s. 11.903, F.S.; authorizing the Legislature to create one or more Legislative Sunset Advisory Committees; providing for appointment, qualifications, and terms of committee members; providing for organization and procedure; creating s. 11.904, F.S.; providing for the employment of staff; creating s. 11.905, F.S.; providing a schedule for abolishing state agencies and advisory committees; creating s. 11.9055, F.S.; providing for the abolition of state agencies under certain circumstances; requiring legislative findings; providing requirements for certain legislative budget requests; creating s. 11.906, F.S.; prescribing required content for agency reports to the committee; amending s. 11.907, F.S.; providing for review of agencies and their advisory committees by the Office of Program Policy Analysis and Government Accountability; creating s. 11.908, F.S.; prescribing duties of the committee in reviewing reports, consulting with other legislative entities, holding public hearings, and making a report and recommendations to the legislative leadership with respect to agencies scheduled for abolition; creating s. 11.910, F.S.; providing review criteria; creating s. 11.911, F.S.; specifying recommendation options; creating s. 11.917, F.S.; providing procedures after termination; providing for issuance of subpoenas; creating s. 11.919, F.S.; providing for assistance of and access to state agencies; creating s. 11.920, F.S.; providing applicability with respect to certain rights, penalties, liabilities, and proceedings; amending s. 216.013, F.S.; providing requirements with respect to performance measures and standards identified as part of long-range program plans; amending s. 216.023, F.S.; requiring that performance measures and standards and outsourcing cost-benefit and business case analyses identify impacts on agency activities; creating a working group to develop instructions for agencies regarding the computation of activity and unit cost information required to be included in legislative budget requests; providing appropriations; providing an effective date.

Pursuant to Rule 4.19, **HB 1123** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 900** and **CS for SB 2708** was deferred.

CS for SB 2096—A bill to be entitled An act relating to economic development; requiring the Office of Program Policy Analysis and Gov-

ernment Accountability and the Auditor General to jointly review the Office of Tourism, Trade, and Economic Development, the Black Business Investment Board and its subsidiaries or affiliates, and the black business investment corporations; providing an effective date.

—was read the second time by title.

On motion by Senator King, further consideration of **CS for SB 2096** was deferred.

Consideration of **CS for CS for CS for SB's 528, 530 and 858**, **CS for CS for SB 860**, **CS for CS for CS for CS for CS for SB 1058** and **CS for SB 2380** was deferred.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

HB 217—A bill to be entitled An act relating to sinkhole insurance; amending s. 627.706, F.S.; allowing a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; eliminating the requirement for certain testing compliance; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; revising requirements with respect to the required filing of a report and certification by an insurer that has paid a claim for a sinkhole loss; providing for the recording of a report and certification with the clerk of court rather than the property appraiser; limiting the effect of the recording of the report and certification; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party but mandatory if requested by either party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; requiring the Office of Insurance Regulation to calculate a certain presumed factor on residential property insurance rates; providing requirements and procedures for determining such calculation; requiring the office to provide notice of such rate factor to insurers; requiring insurers to include such rate factor in certain rate filings; providing appropriations and authorizing additional positions and salary rates; providing effective dates.

—was read the third time by title.

On motion by Senator Fasano, **HB 217** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Posey
Alexander	Fasano	Pruitt
Argenziano	Garcia	Rich
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Baker	Hill	Siplin
Bennett	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Miller	
Diaz de la Portilla	Peaden	

Nays—None

Vote after roll call:

Yea—Margolis

Consideration of **CS for CS for SB 1226** was deferred.

HB 415—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.052, F.S.; deleting an exception to an exemption from the tax for research or development costs; amending s. 212.08, F.S.; deleting provisions providing an exemption on account of use for machinery and equipment used for research and development; revising provisions for application for the exemption; specifying the term of validity of an exemption certification; providing for biennial renewal of certifications; providing criteria; deleting a limitation on number of exemption applications by a business in a year; exempting machinery and equipment used predominantly for research and development activities; providing definitions; authorizing the Department of Revenue to adopt rules administering and implementing the exemption; providing requirements and procedures for claiming the exemption; requiring an affidavit to be given by a taxpayer claiming entitlement to the exemption; providing penalties for fraudulently claiming the exemption; providing recordkeeping requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **HB 415** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Diaz de la Portilla	Miller	Wise

Nays—1

Campbell

Vote after roll call:

Yea—Margolis

Consideration of **HB 371**, **CS for SB 1544**, **HB 1033** and **HB 1271** was deferred.

HB 1361—A bill to be entitled An act relating to insurance; amending s. 624.605, F.S.; including debt cancellation products within the definition of the term "casualty insurance"; describing debt cancellation products; authorizing certain entities to offer debt cancellation products under certain circumstances; specifying such products as not constituting insurance; amending ss. 627.553 and 627.679, F.S.; revising certain limitations on certain amounts of life insurance on a debtor; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending 627.681, F.S.; revising a provision relating to the term and evidence of insurance; amending s. 627.902, F.S.; exempting certain lump-sum premium payments from provisions relating to premium financing; amending s. 628.511, F.S.; revising the definitions of the terms "clearing corporation" and "custodian"; deleting definitions of the terms "book entry system" and "member bank"; conforming changes; amending s. 655.947, F.S.; providing what constitutes a debt cancellation product; providing a definition; providing an effective date.

—as amended May 2 was read the third time by title.

Senator Posey moved the following amendment:

Amendment 4 (763458)(with title amendment)—Lines 49-169, delete those lines and insert:

Section 2. Subsection (3) is added to section 627.642, Florida Statutes, to read:

627.642 Outline of coverage.—

(3) In addition to the outline of coverage, a policy as specified in s. 627.6699(3)(k) must be accompanied by an identification card that contains, at a minimum:

(a) The name of the organization issuing the policy or the name of the organization administering the policy, whichever applies.

(b) The name of the contract holder.

(c) The type of plan only if the plan is filed in the state, an indication that the plan is self-funded, or the name of the network.

(d) The member identification number, contract number, and policy or group number, if applicable.

(e) A contact phone number or electronic address for authorizations.

(f) A phone number or electronic address whereby the covered person or hospital, physician, or other person rendering services covered by the policy may determine if the plan is insured and may obtain a benefits verification in order to estimate patient financial responsibility, in compliance with privacy rules under the Health Insurance Portability and Accountability Act.

(g) The national plan identifier, in accordance with the compliance date set forth by the federal Department of Health and Human Services.

The identification card must present the information in a readily identifiable manner or, alternatively, the information may be embedded on the card and available through magnetic stripe or smart card. The information may also be provided through other electronic technology.

Section 3. Subsection (3) of section 627.553, Florida Statutes, is amended to read:

627.553 Debtor groups.—The lives of a group of individuals may be insured under a policy issued to a creditor or its parent holding company, or to a trustee or trustees or agent designated by two or more creditors, which creditor, holding company, affiliate, trustee or trustees, or agent shall be deemed the policyholder, to insure debtors of the creditor or creditors, subject to the following requirements:

(3) The amount of insurance on the life of any debtor shall at no time exceed the amount owed by her or him which is repayable in installments to the creditor ~~or $50,000, whichever is less, except that loans not exceeding 1 year's duration shall not be subject to such limits~~. ~~However, on such loans not exceeding 1 year's duration, the limit of coverage shall not exceed $50,000 with any one insurer.~~

Section 4. Present subsection (2) of section 627.657, Florida Statutes, is renumbered as subsection (3), and a new subsection (2) is added to that section, to read:

627.657 Provisions of group health insurance policies.—

(2) The medical policy as specified in s. 627.6699(3)(k) must be accompanied by an identification card that contains, at a minimum:

(a) The name of the organization issuing the policy or name of the organization administering the policy, whichever applies.

(b) The name of the certificateholder.

(c) The type of plan only if the plan is filed in the state, an indication that the plan is self-funded, or the name of the network.

(d) The member identification number, contract number, and policy or group number, if applicable.

(e) A contact phone number or electronic address for authorizations.

(f) A phone number or electronic address whereby the covered person or hospital, physician, or other person rendering services covered by the policy may determine if the plan is insured and may obtain a benefits verification in order to estimate patient financial responsibility, in compliance with privacy rules under the Health Insurance Portability and Accountability Act.

(g) The national plan identifier, in accordance with the compliance date set forth by the federal Department of Health and Human Services.

The identification card must present the information in a readily identifiable manner or, alternatively, the information may be embedded on the card and available through magnetic stripe or smart card. The information may also be provided through other electronic technology.

Section 5. Paragraph (b) of subsection (1) of section 627.679, Florida Statutes, is amended to read:

627.679 Amount of insurance; disclosure.—

(1)

(b) The total amount of credit life insurance on the life of any debtor with respect to any loan or loans covered in one or more insurance policies shall at no time exceed *the amount of the indebtedness* ~~$50,000 with any one creditor, except that loans not exceeding 1 year's duration shall not be subject to such limits, and on such loans not exceeding 1 year's duration, the limits of coverage shall not exceed $50,000 with any one insurer~~.

Section 6. Subsection (2) of section 627.681, Florida Statutes, is amended to read:

627.681 Term and evidence of insurance.—

(2) The term of credit disability insurance on any debtor insured under this section shall not exceed *the term of indebtedness* ~~10 years, and for credit transactions that exceed 60 months, coverage shall not exceed 60 monthly indemnities~~.

Section 7. Section 627.902, Florida Statutes, is amended to read:

627.902 Premium financing by an insurer or subsidiary.—

(1) An insurer, a subsidiary of an insurer, or a corporation under substantially the same management or control as an authorized insurer or group of authorized insurers may finance property, casualty, surety, and marine insurance premiums on policies issued or business produced by such insurer or insurers; however, any such insurer, subsidiary, or corporation or group of insurers that charges a total service charge per year or rate of interest which is substantially more than that provided in s. 627.901 shall be subject to part XV of this chapter. Notwithstanding any other provision of law, an insurer, a subsidiary of an insurer, or a corporation under substantially the same management or control as an authorized insurer or group of authorized insurers may charge one-half of the additional charge provided in s. 627.840, and the charges provided in s. 627.841.

(2) Nothing in this part or in part XV shall disallow or otherwise apply to a discount for those who pay the entire premium for the entire policy term at the inception of the term if the discount is found to be actuarially justified by the office and approved by the office pursuant to the provisions of part I of this chapter. Such actuarially justified and approved discount shall not be deemed a component of or related to premium financing.

Section 8. Section 628.511, Florida Statutes, is amended to read:

628.511 *Clearing corporations* ~~Book entry accounting system~~.—

(1) The purpose of this section is to authorize domestic insurers to utilize modern systems for holding and transferring securities without physical delivery of securities certificates, subject to appropriate rules of the commission.

(2) The following terms are defined for use in this section:

(a) "Securities" means instruments as defined in s. 678.1021.

(b) "Clearing corporation" means a clearing corporation as defined in s. 678.1021. *The term "clearing corporation" also includes "treasury/*

reserve automated debt entry securities system" and "treasury direct" book-entry securities systems as established pursuant to 31 U.S.C. ss. 3100 et seq., 12 U.S.C. 391 and 5 U.S.C. 301.

(c) *"Custodian"* ~~"Direct participant"~~ means a national bank, state bank or trust company*, or broker or dealer that* ~~which maintains an account in its name in a clearing corporation and through which an insurance company~~ participates in a clearing corporation.

~~(d) "Federal Reserve book-entry system" means the computerized systems sponsored by the United States Department of the Treasury and agencies and instrumentalities of the United States for holding and transferring securities of the United States Government and such agencies and instrumentalities, respectively, in Federal Reserve banks through banks which are members of the Federal Reserve System or which otherwise have access to such computerized systems.~~

~~(e) "Member bank" means a national bank, state bank or trust company which is a member of the Federal Reserve System and through which an insurer participates in the Federal Reserve book-entry system.~~

(3) Notwithstanding any other provision of law, a domestic insurer may deposit or arrange for the deposit of securities held in or purchased for its general account and its separate accounts in a clearing corporation ~~or in the Federal Reserve book-entry system~~. When securities are deposited with a clearing corporation, certificates representing securities of the same class of the same issuer may be merged and held in bulk in the name of the nominee of such clearing corporation with any other securities deposited with such clearing corporation by any person, regardless of the ownership of such securities, and certificates representing securities of small denominations may be merged into one or more certificates of larger denominations. The records of any *custodian* ~~bank~~ through which an insurer holds securities ~~in the Federal Reserve book-entry system, and the records of any custodian banks through which an insurer holds securities~~ in a clearing corporation ~~,~~ shall at all times show that such securities are held for such insurer and for which accounts thereof. Ownership of, and other interests in, such securities may be transferred by bookkeeping entry on the books of such clearing corporation ~~or in the Federal Reserve book-entry system~~ without~~, in either case,~~ physical delivery of certificates representing such securities.

(4) The commission may adopt rules governing the deposit by insurers of securities with clearing corporations ~~and in the Federal Reserve book-entry system~~.

Section 9. Paragraph (i) of subsection (2) of section 636.204, Florida Statutes, is amended to read:

636.204 License required.—

(2) An application for a license to operate as a discount medical plan organization must be filed with the office on a form prescribed by the commission. Such application must be sworn to by an officer or authorized representative of the applicant and be accompanied by the following, if applicable:

(i) A copy of the applicant's most recent financial statements audited by an independent certified public accountant. An applicant that is a subsidiary of a parent entity that is publicly traded and that prepares audited financial statements reflecting the consolidated operations of the parent entity and the subsidiary may *submit* ~~petition the office to accept~~, in lieu of the audited financial statement of the applicant, the audited financial statement of the parent entity and a written guaranty by the parent entity that the minimum capital requirements of the applicant required by this part will be met by the parent entity.

Section 10. Subsection (1) of section 636.206, Florida Statutes, is amended to read:

636.206 Examinations and investigations.—

(1) The office may examine or investigate the business and affairs of any discount medical plan organization *if the commissioner has reason to believe that the discount medical plan organization is not complying with requirements of this chapter*. The office may order any discount medical plan organization or applicant to produce any records, books, files, advertising and solicitation materials, or other information and may take statements under oath to determine whether the discount medical plan organization or applicant is in violation of the law or is acting contrary to the public interest. The expenses incurred in conducting any examination or investigation must be paid by the discount medical plan organization or applicant. Examinations and investigations must be conducted as provided in chapter 624.

Section 11. Subsection (1) of section 636.210, Florida Statutes, is amended to read:

636.210 Prohibited activities of a discount medical plan organization.—

(1) A discount medical plan organization may not:

(a) Use in its advertisements, marketing material, brochures, and discount cards the term "insurance" except as otherwise provided in this part or as a disclaimer of any relationship between discount medical plan organization benefits and insurance;

(b) Use in its advertisements, marketing material, brochures, and discount cards the terms "health plan," "coverage," "copay," "copayments," "preexisting conditions," "guaranteed issue," "premium," "PPO," "preferred provider organization," or other terms in a manner that could reasonably mislead a person into believing the discount medical plan was health insurance;

(c) Have restrictions on free access to plan providers, *except for hospital services,* including, but not limited to, waiting periods and notification periods; or

(d) Pay providers any fees for medical services.

Section 12. Subsection (1) of section 636.216, Florida Statutes, is amended to read:

636.216 Charge or form filings.—

(1) All charges to members must be filed with the office and any charge to members greater than $30 per month or $360 per year *for access to health care services other than those provided by physicians licensed under chapter 458 or chapter 459 or by hospitals licensed under chapter 395* must be approved by the office before the charges can be used. *Any charge to members greater than $60 per month or $720 per year for health care services that include services provided by physicians licensed under chapter 458 or chapter 459 or by hospitals licensed under chapter 395 must be approved by the office before the charges can be used.* The discount medical plan organization has the burden of proof that the charges bear a reasonable relation to the benefits received by the member.

Section 13. Subsection (2) of section 636.218, Florida Statutes, is amended to read:

636.218 Annual reports.—

(2) Such reports must be on forms prescribed by the commission and must include:

~~(a) Audited financial statements prepared in accordance with generally accepted accounting principles certified by an independent certified public accountant, including the organization's balance sheet, income statement, and statement of changes in cash flow for the preceding year. An organization that is a subsidiary of a parent entity that is publicly traded and that prepares audited financial statements reflecting the consolidated operations of the parent entity and the organization may petition the office to accept, in lieu of the audited financial statement of the organization, the audited financial statement of the parent entity and a written guaranty by the parent entity that the minimum capital requirements of the organization required by this part will be met by the parent entity.~~

(a)~~(b)~~ If different from the initial application or the last annual report, a list of the names and residence addresses of all persons responsible for the conduct of the organization's affairs, together with a disclosure of the extent and nature of any contracts or arrangements between such persons and the discount medical plan organization, including any possible conflicts of interest.

(b)~~(c)~~ The number of discount medical plan members in the state.

(c)~~(d)~~ Such other information relating to the performance of the discount medical plan organization as is reasonably required by the commission or office.

Section 14. Subsection (1) of section 636.220, Florida Statutes, is amended to read:

636.220 Minimum capital requirements.—

(1) Each discount medical plan organization must at all times maintain a net worth of at least $150,000.

(2) The office may not issue a license unless the discount medical plan organization has a net worth of at least $150,000*, and each discount medical plan organization shall certify in writing under oath at the time of licensure and annually thereafter that the minimum capitalization requirements of this part are satisfied*.

Section 15. Section 636.230, Florida Statutes, is amended to read:

636.230 Bundling discount medical plans with *insurance* ~~other~~ products.—When a marketer or discount medical plan organization sells a discount medical plan together with any *insurance* ~~other~~ product, the fees for the discount medical plan must be provided in writing to the member if the fees exceed $30 *per month for access to health care services other than those provided by physicians licensed under chapter 458 or chapter 459, or by hospitals licensed under chapter 395, or $60 per month for health care services that include services provided by physicians licensed under chapter 458 or chapter 459 or by hospitals licensed under chapter 395*.

Section 16. Present subsections (5) through (40) of section 641.31, Florida Statutes, are renumbered as subsections (6) through (41), respectively, and a new subsection (5) is added to that section, to read:

641.31 Health maintenance contracts.—

(5) The contract, certificate, or member handbook must be accompanied by an identification card that contains, at a minimum:

(a) The name of the organization offering the contract or name of the organization administering the contract, whichever applies.

(b) The name of the subscriber.

(c) A statement that the health plan is a health maintenance organization. Only a health plan with a certificate of authority issued under this chapter may be identified as a health maintenance organization.

(d) The member identification number, contract number, and group number, if applicable.

(e) A contact phone number or electronic address for authorizations.

(f) A phone number or electronic address whereby the covered person or hospital, physician, or other person rendering services covered by the contract may determine if the plan is insured and may obtain a benefits verification in order to estimate patient financial responsibility, in compliance with privacy rules under the Health Insurance Portability and Accountability Act.

(g) The national plan identifier, in accordance with the compliance date set forth by the federal Department of Health and Human Services.

The identification card must present the information in a readily identifiable manner or, alternatively, the information may be embedded on the card and available through magnetic stripe or smart card. The information may also be provided through other electronic technology.

Section 17. Section 655.947, Florida Statutes, is created to read:

655.947 Debt cancellation products.—

(1) Debt cancellation products, including, but not limited to, debt cancellation contracts, debt suspension agreements, and guaranteed asset protection contracts, are loan or lease contract terms, or modifications to loan or lease contracts, under which a creditor agrees to cancel or suspend all or part of a customer's obligation to make payments upon the occurrence of specified events. Debt cancellation products may be offered, and a fee charged, by financial institutions and their subsidiaries subject to the provisions of this section. As used in this section, the term "financial institutions" includes those as defined in s. 655.005(1)(h) and insured depository institutions as defined in 12 U.S.C. s. 1813.

(2) The commission shall adopt rules to administer this section, which rules must be consistent with 12 C.F.R. part 37, as amended.

And the title is amended as follows:

Lines 8-19, delete those lines and insert: constituting insurance; amending s. 627.642, F.S.; requiring an identification card containing specified information to be given to insureds who have health and accident insurance; amending s. 627.553, F.S.; revising certain limitations on certain amounts of life insurance on a debtor; amending s. 627.657, F.S.; requiring an identification card containing specified information to be given to insureds under group health insurance policies; amending s. 627.679, F.S.; revising certain limitations on certain amounts of life insurance on a debtor; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 627.902, F.S.; exempting certain lump-sum premium payments from provisions relating to premium financing; amending s. 628.511, F.S.; revising the definitions of the terms "clearing corporation" and "custodian"; deleting definitions of the terms "book entry system" and "member bank"; conforming changes; amending s. 636.204, F.S.; revising the requirements for an application to operate as a discount medical plan organization; amending s. 636.206, F.S.; authorizing the Office of Insurance Regulation to examine the business affairs of a discount medical plan organization under certain conditions; amending s. 636.210, F.S.; providing an exception to the prohibition of a discount medical plan organization having restrictions on free access to plan providers; amending s. 636.216, F.S.; requiring certain charges to members be approved by the office before the charges can be used; amending s. 636.218, F.S.; deleting certain requirements for annual reports submitted to the office; amending s. 636.230, F.S.; revising the minimum capital requirements for discount medical plan organizations; requiring a discount medical plan to be provided in writing under certain conditions; amending s. 641.31, F.S.; requiring that an identification card be given to persons receiving health care services through a health maintenance contract; amending s. 655.947, F.S.;

MOTION

On motion by Senator Posey, the rules were waived to allow the following amendment to be considered:

Senator Posey moved the following amendment to **Amendment 4** which was adopted by two-thirds vote:

Amendment 4A (220882)(with title amendment)—On page 4, line 27 through page 5, line 22, delete section 7 and renumber subsequent sections.

And the title is amended as follows:

On page 14, lines 12-15, delete those lines and insert: credit disability insurance; amending s. 628.511, F.S.;

Amendment 4 as amended was adopted by two-thirds vote.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendments to be considered:

Senator Garcia moved the following amendment:

Amendment 5 (335858)(with title amendment)—Between lines 187 and 188, insert:

Section 8. Section 624.4624, Florida Statutes, is created to read:

624.4624 Corporation not for profit self-insurance funds.—

(1) Notwithstanding any other provision of law, any two or more corporations not for profit located in and organized under the laws of this state may form a self-insurance fund for the purpose of pooling and spreading liabilities of its group members in any one or combination of property or casualty risk or surety insurance or securing the payment of benefits under chapter 440, provided the corporation not for profit self-insurance fund that is created:

(a) Has annual normal premiums in excess of $5 million.

(b) Requires for qualification that each participating member receive at least 75 percent of its revenues from local, state, or federal governmental sources or a combination of such sources.

(c) Uses a qualified actuary to determine rates using accepted actuarial principles and annually submits to the office a certification by the actuary that the rates are actuarially sound and are not inadequate, as defined in s. 627.062.

(d) Uses a qualified actuary to establish reserves for loss and loss adjustment expenses and annually submits to the office a certification by the actuary that the loss and loss adjustment expense reserves are adequate. If the actuary determines that reserves are not adequate, the fund shall file with the office a remedial plan for increasing the reserves or otherwise addressing the financial condition of the fund, subject to a determination by the office that the fund will operate on an actuarially sound basis and the fund does not pose a significant risk of insolvency.

(e) Maintains a continuing program of excess insurance coverage and reserve evaluation to protect the financial stability of the fund in an amount and manner determined by a qualified actuary. At a minimum, this program must:

1. Purchase excess insurance from authorized insurance carriers.

2. Retain a per-loss occurrence that does not exceed $350,000.

(f) Submits to the office annually an audited fiscal year-end financial statement by an independent certified public accountant within 6 months after the end of the fiscal year.

(g) Has a governing body that is comprised entirely of officials from corporations not for profit that are members of the corporation not for profit self-insurance fund.

(h) Uses knowledgeable persons or business entities to administer or service the fund in the areas of claims administration, claims adjusting, underwriting, risk management, loss control, policy administration, financial audit, and legal areas. Such persons must meet all applicable requirements of law for state licensure and must have at least 5 years' experience with commercial self-insurance funds formed under s. 624.462, self-insurance funds formed under s. 624.4622, or domestic insurers.

(i) Submits to the office copies of contracts used for its members which clearly establish the liability of each member for the obligations of the fund.

(j) Annually submits to the office a certification by the governing body of the fund that, to the best of its knowledge, the requirements of this section are met.

(2) As used in this section, the term "qualified actuary" means an actuary that is a member of the Casualty Actuarial Society or the American Academy of Actuaries.

(3) A corporation not for profit self-insurance fund that meets the requirements of this section is not:

(a) An insurer for purposes of participation in or coverage by any insurance guaranty association established by chapter 631; or

(b) Subject to s. 624.4621 and is not required to file any report with the department under s. 440.38(2)(b) which is uniquely required of group self-insurer funds qualified under s. 624.4621.

(4) Premiums, contributions, and assessments received by a corporation not for profit self-insurance fund are subject to ss. 624.509(1) and (2) and 624.5092, except that the tax rate shall be 1.6 percent of the gross amount of such premiums, contributions, and assessments.

(5) If any of the requirements of subsection (1) are not met, a corporation not for profit self-insurance fund is subject to the requirements of s. 624.4621 if the fund provides only workers' compensation coverage or is subject to the requirements of ss. 624.460-624.488 if the fund provides coverage for other property, casualty, or surety risks.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 21, after the semicolon (;) insert: creating s. 624.4624, F.S.; authorizing two or more corporations not for profit to form a self-insurance fund for certain purposes; providing specific requirements; providing a definition; providing limitations; providing for application of certain provisions to certain premiums, contributions, and assessments; providing for payment of insurance premium tax at a reduced rate by corporation not for profit self-insurance funds; subjecting a corporation not for profit self-insurance fund to certain group self-insurance fund provisions under certain circumstances;

Senator Garcia moved the following substitute amendment:

Amendment 6 (282914)(with title amendment)—Between lines 187 and 188 insert:

Section 8. Subsection (1) of section 624.4622, Florida Statutes, is amended to read:

624.4622 Local government self-insurance funds.—

(1) Any two or more local governmental entities may enter into interlocal agreements for the purpose of securing the payment of benefits under chapter 440, *or insuring or self-insuring real or personal property of every kind and every interest in such property against loss or damage from any hazard or cause and against any loss consequential to such loss or damage,* provided the local government self-insurance fund that is created must:

(a) Have annual normal premiums in excess of $5 million;

(b) Maintain a continuing program of excess insurance coverage and reserve evaluation to protect the financial stability of the fund in an amount and manner determined by a qualified and independent actuary;

(c) Submit annually an audited fiscal year-end financial statement by an independent certified public accountant within 6 months after the end of the fiscal year to the office; and

(d) Have a governing body which is comprised entirely of local elected officials.

Section 9. Subsection (3) is added to section 624.4623, Florida Statutes, to read:

624.4623 Independent Educational Institution Self-Insurance Funds.—

(3) An independent educational institution self-insurance fund may not be required to participate in, or be entitled to coverage under, any guaranty association created pursuant to part II or part V of chapter 631.

Section 10. Section 624.4624, Florida Statutes, is created to read:

624.4624 Corporation not for profit self-insurance funds.—

(1) Notwithstanding any other provision of law, any two or more corporations not for profit located in and organized under the laws of this state may form a self-insurance fund for the purpose of pooling and spreading liabilities of its group members in any one or combination of property or casualty risk or surety insurance or securing the payment of benefits under chapter 440, provided the corporation not for profit self-insurance fund that is created:

(a) Has annual normal premiums in excess of $5 million.

(b) Requires for qualification that each participating member receive at least 75 percent of its revenues from local, state, or federal governmental sources or a combination of such sources.

(c) Uses a qualified actuary to determine rates using accepted actuarial principles and annually submits to the office a certification by the actuary that the rates are actuarially sound and are not inadequate, as defined in s. 627.062.

(d) Uses a qualified actuary to establish reserves for loss and loss adjustment expenses and annually submits to the office a certification by

the actuary that the loss and loss adjustment expense reserves are adequate. If the actuary determines that reserves are not adequate, the fund shall file with the office a remedial plan for increasing the reserves or otherwise addressing the financial condition of the fund, subject to a determination by the office that the fund will operate on an actuarially sound basis and the fund does not pose a significant risk of insolvency.

(e) Maintains a continuing program of excess insurance coverage and reserve evaluation to protect the financial stability of the fund in an amount and manner determined by a qualified actuary. At a minimum, this program must:

1. Purchase excess insurance from authorized insurance carriers.

2. Retain a per-loss occurrence that does not exceed $350,000.

(f) Submits to the office annually an audited fiscal year-end financial statement by an independent certified public accountant within 6 months after the end of the fiscal year.

(g) Has a governing body that is comprised entirely of officials from corporations not for profit that are members of the corporation not for profit self-insurance fund.

(h) Uses knowledgeable persons or business entities to administer or service the fund in the areas of claims administration, claims adjusting, underwriting, risk management, loss control, policy administration, financial audit, and legal areas. Such persons must meet all applicable requirements of law for state licensure and must have at least 5 years' experience with commercial self-insurance funds formed under s. 624.462, self-insurance funds formed under s. 624.4622, or domestic insurers.

(i) Submits to the office copies of contracts used for its members which clearly establish the liability of each member for the obligations of the fund.

(j) Annually submits to the office a certification by the governing body of the fund that, to the best of its knowledge, the requirements of this section are met.

(2) As used in this section, the term "qualified actuary" means an actuary that is a member of the Casualty Actuarial Society or the American Academy of Actuaries.

(3) A corporation not for profit self-insurance fund that meets the requirements of this section is not:

(a) An insurer for purposes of participation in or coverage by any insurance guaranty association established by chapter 631; or

(b) Subject to s. 624.4621 and is not required to file any report with the department under s. 440.38(2)(b) which is uniquely required of group self-insurer funds qualified under s. 624.4621.

(4) Premiums, contributions, and assessments received by a corporation not for profit self-insurance fund are subject to ss. 624.509(1) and (2) and 624.5092, except that the tax rate shall be 1.6 percent of the gross amount of such premiums, contributions, and assessments.

(5) If any of the requirements of subsection (1) are not met, a corporation not for profit self-insurance fund is subject to the requirements of s. 624.4621 if the fund provides only workers' compensation coverage or is subject to the requirements of ss. 624.460-624.488 if the fund provides coverage for other property, casualty, or surety risks.

Section 11. Section 627.443, Florida Statutes, is created to read:

627.443 Workers' compensation insurance policy limitation.—Notwithstanding any other provision in this chapter, a workers' compensation insurance policy issued by a self-insurance fund that is subject to part V of chapter 631 may not be rejected by any person requiring a workers' compensation insurance policy pursuant to a construction contract, if such rejection is because the self-insurance fund is not rated by a nationally-recognized insurance rating service.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 21, following the semicolon (;) insert: amending s. 624.4622, F.S.; authorizing local government self-insurance funds to insure or self-insure real or personal property against loss or damage; amending s. 624.4623, F.S.; prohibiting requiring participation of independent educational institution self-insurance funds in or entitlement to coverage under certain guaranty associations; creating s. 624.4624, F.S.; authorizing two or more corporations not for profit to form a self-insurance fund for certain purposes; providing specific requirements; providing a definition; providing limitations; providing for application of certain provisions to certain premiums, contributions, and assessments; providing for payment of insurance premium tax at a reduced rate by corporation not for profit self-insurance funds; subjecting a corporation not for profit self-insurance fund to certain group self-insurance fund provisions under certain circumstances; creating s. 627.443, F.S.; prohibiting rejecting certain workers' compensation insurance policies by certain persons on certain grounds;

On motion by Senator Posey, further consideration of **HB 1361** with pending **Amendment 5 (335858)** and substitute **Amendment 6 (282914)** was deferred.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

On motion by Senator Argenziano, the Senate resumed consideration of—

HB 1015—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 3 (072676)** by Senator Posey and pending point of order by Senator Klein.

RULING ON POINT OF ORDER

On recommendation of Senator Pruitt, Chair of the Committee on Rules and Calendar, the President ruled the point well taken and the amendment out of order.

MOTION

On motion by Senator Argenziano, the rules were waived to allow the following amendments to be considered:

Senator Argenziano moved the following amendments which were adopted:

Amendment 4 (835438)(with title amendment)—Lines 138-142, delete those lines and insert: *amendment is presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code, and may include land uses and intensities of use that are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel. This presumption may be rebutted by clear and convincing evidence. Each application for a comprehensive plan*

And the title is amended as follows:

Lines 11-13, delete those lines and insert: such applications; creating a rebuttable presumption relating to certain requirements for plan amendment for agricultural enclaves; amending s. 163.3164, F.S.;

Amendment 5 (833688)(with title amendment)—Lines 174-180, delete those lines and insert: *such review at the first available transmittal cycle. A plan amendment transmitted to the state land planning agency submitted under this subsection is presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code. This presumption may be rebutted by clear and convincing evidence.*

(c) If the owner fails to negotiate in good faith, a plan amendment submitted under this subsection is not entitled to the rebuttable presumption under this subsection in the negotiation and amendment process.

And the title is amended as follows:

On line 13, after the first semicolon (;) insert: providing for the transmittal of a plan amendment relating to an agricultural enclave to the state land planning agency; providing for a rebuttal presumption for plan amendments relating to agricultural enclaves; providing an exception;

Amendment 6 (901578)—On line 226, delete the number "*5,120*" and insert: *4,480*

Pursuant to Rule 4.19, **HB 1015** as amended was placed on the calendar of Bills on Third Reading.

RECESS

The President declared the Senate in recess at 1:19 p.m. to reconvene at 2:19 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 4:21 p.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING, continued

The Senate resumed consideration of—

HB 1271—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco; amending s. 20.165, F.S.; requiring each employee serving as a law enforcement officer for the division to meet the qualifications of a law enforcement officer set forth in ch. 943, F.S., for employment or appointment; requiring each such employee to be certified as a law enforcement officer by the Department of Law Enforcement; providing the law enforcement officer with certain powers, authority, and jurisdiction; specifying the primary and secondary responsibilities for law enforcement officers of the division; providing an effective date.

—which was previously considered May 4.

On motion by Senator Haridopolos, **HB 1271** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise
Dawson	Margolis	

Nays—None

Vote after roll call:

Yea—Villalobos

The Senate resumed consideration of—

HB 1361—A bill to be entitled An act relating to insurance; amending s. 624.605, F.S.; including debt cancellation products within the definition of the term "casualty insurance"; describing debt cancellation products; authorizing certain entities to offer debt cancellation products under certain circumstances; specifying such products as not constituting insurance; amending ss. 627.553 and 627.679, F.S.; revising certain limitations on certain amounts of life insurance on a debtor; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending 627.681, F.S.; revising a provision relating to the term and evidence of insurance; amending s. 627.902, F.S.; exempting certain lump-sum premium payments from provisions relating to premium financing; amending s. 628.511, F.S.; revising the definitions of the terms "clearing corporation" and "custodian"; deleting definitions of the terms "book entry system" and "member bank"; conforming changes; amending s. 655.947, F.S.; providing what constitutes a debt cancellation product; providing a definition; providing an effective date.

—which was previously considered this day with pending **Amendment 5 (335858)** by Senator Garcia and substitute **Amendment 6 (282914)** by Senator Garcia. **Amendment 6** was adopted by two-thirds vote.

On motion by Senator Posey, **HB 1361** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

On motion by Senator Miller, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

HB 1015—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—which was previously considered and amended this day.

On motion by Senator Miller, by two-thirds vote **HB 1015** was read the third time by title.

MOTION

On motion by Senator Smith, the rules were waived to allow the following amendment to be considered:

Senator Smith moved the following amendment:

Amendment 7 (460866)(with title amendment)—Between lines 382 and 383, insert:

Section 9. Section 601.992, Florida Statutes, is amended to read:

601.992 Collection of dues and other payments on behalf of certain nonprofit corporations engaged in market news and grower education.—The Florida Department of Citrus or *the Department of Agriculture and Consumer Services or their successors* ~~its successor~~ may collect dues, contributions, or any other financial payment upon request by, and on behalf of, any not-for-profit corporation, and its related not-for-profit corporations, located in this state which receives payments or dues from its members. Such not-for-profit corporation must be engaged, to the exclusion of agricultural commodities other than citrus, in market news and grower education solely for citrus growers, and must have at least 5,000 members who are engaged in growing citrus in this state for commercial sale. *The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section. The rules may establish indemnity requirements for the requesting corporation and for fees to be charged to the corporation which are sufficient but do not exceed the amount necessary to ensure that any direct costs incurred by the department in implementing this section are borne by the requesting corporation and not by the department.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 27, after the semicolon (;) insert: amending s. 601.992, F.S.; authorizing the Department of Citrus or the Department of Agriculture and Consumer Services to collect financial payments for certain not-for-profit entities under certain circumstances; authorizing fees and rule-making;

On motion by Senator Argenziano, further consideration of **HB 1015** with pending **Amendment 7 (460866)** was deferred.

The Senate resumed consideration of—

HB 1123—A bill to be entitled An act relating to government accountability; creating s. 11.901, F.S., the Florida Government Accountability Act; creating s. 11.902, F.S.; providing definitions; creating s. 11.903, F.S.; authorizing the Legislature to create one or more Legislative Sunset Advisory Committees; providing for appointment, qualifications, and terms of committee members; providing for organization and procedure; creating s. 11.904, F.S.; providing for the employment of staff; creating s. 11.905, F.S.; providing a schedule for abolishing state agencies and advisory committees; creating s. 11.9055, F.S.; providing for the abolition of state agencies under certain circumstances; requiring legislative findings; providing requirements for certain legislative budget requests; creating s. 11.906, F.S.; prescribing required content for agency reports to the committee; amending s. 11.907, F.S.; providing for review of agencies and their advisory committees by the Office of Program Policy Analysis and Government Accountability; creating s. 11.908, F.S.; prescribing duties of the committee in reviewing reports, consulting with other legislative entities, holding public hearings, and making a report and recommendations to the legislative leadership with respect to agencies scheduled for abolition; creating s. 11.910, F.S.; providing review criteria; creating s. 11.911, F.S.; specifying recommendation options; creating s. 11.917, F.S.; providing procedures after termination; providing for issuance of subpoenas; creating s. 11.919, F.S.; providing for assistance of and access to state agencies; creating s. 11.920, F.S.; providing applicability with respect to certain rights, penalties, liabilities, and proceedings; amending s. 216.013, F.S.; providing requirements with respect to performance measures and standards identified as part of long-range program plans; amending s. 216.023, F.S.; requiring that performance measures and standards and outsourcing cost-benefit and business case analyses identify impacts on agency activities; creating a working group to develop instructions for agencies regarding the computation of activity and unit cost information required to be included in legislative budget requests; providing appropriations; providing an effective date.

—which was previously considered and amended this day.

On motion by Senator Miller, by two-thirds vote **HB 1123** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

The Senate resumed consideration of—

HB 1015—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for

memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 7 (460866)** by Senator Smith was adopted by two-thirds vote.

On motion by Senator Miller, **HB 1015** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise
Dawson	Margolis	

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB's 716 and 2660, with amendment, and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for CS for SB's 716 and 2660—A bill to be entitled An act relating to campaign finance; amending s. 106.011, F.S.; redefining the terms "political committee," "contribution," "expenditure," "communications media," and "electioneering communication"; defining the term "electioneering communications organization"; amending s. 106.022, F.S.; conforming a reference to an electioneering communications organization; amending s. 106.03, F.S.; revising the registration requirements for political committees and electioneering communications organizations; creating s. 106.0701; establishing campaign finance reporting requirements for certain officers and candidates soliciting contributions for certain committees and organizations; providing definitions; providing penalties; creating s. 106.0703, F.S.; establishing campaign finance reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; incorporating the new campaign finance reporting requirements for electioneering communications organizations into the Department of State's electronic campaign finance reporting system; amending s. 106.08, F.S.; prohibiting the use of certain contributions received by an electioneering communications organization proximate to an election; limiting contributions to certain committees of continuous existence, electioneering communications organizations, and tax-exempt organizations pursuant to 26 U.S.C. s. 527 and 501(c)(4); reenacting ss. 106.07, 106.08(8), and 106.19, F.S., relating to reports, certification and filing, and penalty provisions, to incorporate the amendments made by this act to ss. 106.03 and 106.08, F.S., in references thereto; providing effective dates.

House Amendment 2 (437569)(with title amendment)—On page 13, line(s) 5, to page 26, line 31, remove all of said lines and insert:

Section 4. Paragraph (c) of subsection (4) of section 106.04, Florida Statutes, is amended to read:

106.04 Committees of continuous existence.—

(4)

(c) All committees of continuous existence shall file ~~the original and one copy of~~ their reports with the Division of Elections. ~~In addition, a duplicate copy of each report shall be filed with the supervisor of elections in the county in which the committee maintains its books and records, except that if the filing officer to whom the committee is required to report is located in the same county as the supervisor no such duplicate report is required to be filed with the supervisor.~~ Reports shall be *filed in accordance with s. 106.0705* ~~on forms provided by the division~~ and shall contain the following information:

1. The full name, address, and occupation of each person who has made one or more contributions, including contributions that represent the payment of membership dues, to the committee during the reporting period, together with the amounts and dates of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is $100 or less, the occupation of the contributor or principal type of business need not be listed. However, for any contributions that represent the payment of dues by members in a fixed amount aggregating no more than $250 per calendar year, pursuant to the schedule on file with the Division of Elections, only the aggregate amount of such contributions need be listed, together with the number of members paying such dues and the amount of the membership dues.

2. The name and address of each political committee or committee of continuous existence from which the reporting committee received, or the name and address of each political committee, committee of continuous existence, or political party to which it made, any transfer of funds, together with the amounts and dates of all transfers.

3. Any other receipt of funds not listed pursuant to subparagraph 1. or subparagraph 2., including the sources and amounts of all such funds.

4. The name and address of, and office sought by, each candidate to whom the committee has made a contribution during the reporting period, together with the amount and date of each contribution.

5. The full name and address of each person to whom expenditures have been made by or on behalf of the committee within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address, and office sought by, each candidate on whose behalf such expenditure was made.

6. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses has been made, including the full name and address of each entity to whom the person made payment for which reimbursement was made by check drawn upon the committee account, together with the amount and purpose of such payment.

7. Transaction information from each credit card statement that will be included in the next report following receipt thereof by the committee. Receipts for each credit card purchase shall be retained by the treasurer with the records for the committee account.

8.~~6.~~ The total sum of expenditures made by the committee during the reporting period.

Section 5. Paragraph (a) of subsection (2) of section 106.07, Florida Statutes, is amended to read:

106.07 Reports; certification and filing.—

(2)(a) All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. ~~In addition, a copy of each report for candidates for other than statewide office who qualify with the Department of State shall be filed with the supervisor of elections in the county where the candidate resides.~~ Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A

certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding that designated due date. All such reports shall be open to public inspection.

Section 6. Section 106.0701, Florida Statutes, is created to read:

106.0701 Solicitation of contributions on behalf of s. 527 or s. 501(c)(4) organizations; reporting requirements; civil penalty; exemption.—

(1) The Governor, Lieutenant Governor, members of the Cabinet, state legislators, or candidates for such offices who directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of an organization that is exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, which such individuals, in whole or in part, establish, maintain, or control, shall file a statement with the division within 5 days after commencing such activity on behalf of the organization. The statement shall contain the following information:

(a) The name of the person acting on behalf of the organization.

(b) The name and type of the organization.

(c) A description of the relationship between the person and the organization.

(2) Failure to timely file the statement shall subject the person to a civil penalty of $50 per day for each late day, payable from the personal funds of the violator.

(3) Upon filing a statement with the division, an individual subject to the requirements of subsection (1) shall promptly create a public website that contains a mission statement and the names of persons associated with the organization. The address of the website shall be reported to the division within 5 business days after the website is created.

(4) All contributions received shall be disclosed on the website within 5 business days after deposit, together with the name, address, and occupation of the donor. All expenditures by the organization shall be individually disclosed on the website within 5 business days after being made.

(5) The filing requirements of subsection (1) do not apply to an individual acting on behalf of his or her own campaign or a political party of which the individual is a member.

Section 7. Section 106.0703, Florida Statutes, is created to read:

106.0703 Electioneering communications organizations; additional reporting requirements.—In addition to the reporting requirements in s. 106.07, an electioneering communications organization shall, within 2 days after receiving its initial password or secure sign-on from the Department of State allowing confidential access to the department's electronic campaign finance filing system, electronically file the periodic campaign finance reports that would have been required pursuant to s. 106.07 for reportable activities that occurred since the date of the last general election.

Section 8. Paragraph (b) of subsection (2) of section 106.0705, Florida Statutes, is amended to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(2)

(b) Each political committee, committee of continuous existence, *electioneering communications organization,* or state executive committee that is required to file reports with the division under s. 106.04, s. 106.07, *s. 106.0703,* or s. 106.29, as applicable, must file such reports with the division by means of the division's electronic filing system.

Section 9. Subsections (4) and (7) of section 106.08, Florida Statutes, are amended, paragraph (d) is added to subsection (5) of that section, and subsection (8) of that section is reenacted, to read:

106.08 Contributions; limitations on.—

(4)*(a)* Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days prior to the day of that election may not be obligated or expended by the committee until after the date of the election.

(b) Any contribution received by an electioneering communications organization on the day of an election or less than 5 days prior to the day of that election may not be obligated or expended by the organization until after the date of the election and may not be expended to pay for any obligation arising prior to the election.

(5)

(d) An electioneering communications organization may not accept a contribution from an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other than a political committee, committee of continuous existence, or political party, unless the contributing organization has registered as if the organization were an electioneering communications organization pursuant to s. 106.03 and has filed all campaign finance reports required of electioneering communications organizations pursuant to ss. 106.07 and 106.0703.

(7)(a) Any person who knowingly and willfully makes *or accepts* no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, political committee, ~~or~~ committee of continuous existence*, or electioneering communications organization* is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than $1,000 and not more than $10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, political committee, ~~or~~ committee of continuous existence*, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code,* who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes *or accepts* two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, political committee, ~~or~~ committee of continuous existence*, or electioneering communications organization* is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than $10,000 and not more than $50,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, committee of continuous existence, ~~or~~ political party*, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code,* who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) Except when otherwise provided in subsection (7), any person who knowingly and willfully violates any provision of this section shall, in addition to any other penalty prescribed by this chapter, pay to the state a sum equal to twice the amount contributed in violation of this chapter. Each campaign treasurer shall pay all amounts contributed in violation of this section to the state for deposit in the General Revenue Fund.

And the title is amended as follows:

On page 1, line(s) 14, to page 2, line 4, remove all of said lines and insert:

amending s. 106.04, F.S.; revising certain filing requirements and reporting requirements for committees of continuous existence; amending s. 106.07, F.S.; deleting a report filing requirement for certain candidates for other than statewide office; creating s. 106.0701, F.S.; establishing campaign finance reporting requirements for certain officers and candidates soliciting contributions on behalf of s. 527 or s. 501(c)(4) organizations; providing a civil penalty; providing for nonapplication to certain persons; creating s. 106.0703, F.S.; establishing campaign finance reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; incorporating the new campaign finance reporting requirements for electioneering communications organizations into the Department of State's electronic campaign finance reporting system; amending s. 106.08, F.S.; prohibiting the use of certain contributions received by an electioneering communications organization proximate to an election; limiting certain contributions to electioneering communications organizations from certain tax-exempt organizations; providing criminal penalties; reenacting ss.

On motion by Senator Posey, the Senate concurred in the House amendment.

CS for CS for SB's 716 and 2660 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

SENATOR PRUITT PRESIDING

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 888, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for CS for CS for SB 888—A bill to be entitled An act relating to energy; creating the Florida Energy Commission, which is located within the Office of Legislative Services for administrative purposes; providing for the membership of the commission; providing for appointment, terms of office, and qualifications of members; providing for voting members to be reimbursed for per diem and travel expenses; providing for meetings of the commission; authorizing the commission to employ staff; requiring that the commission develop policy recommendations; requiring an annual report to the Legislature; requiring a study and a report to the Governor and Legislature concerning the electric transmission grid; creating s. 377.801, F.S.; creating the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creating s. 377.802, F.S.; stating the purpose of the act; creating s. 377.803, F.S.; providing definitions; creating s. 377.804, F.S.; creating the Renewable Energy Technologies Grants Program; providing program requirements and procedures, including matching funds; requiring the Department of Environmental Protection to coordinate with the Department of Agriculture and Consumer Services; requiring joint departmental approval for the funding of any bioenergy project; creating s. 377.805, F.S.; creating the Energy Efficient Appliance Rebate Program; providing program requirements, procedures, and limitations; creating s. 377.8055, F.S.; providing a sales tax holiday for energy efficient products; providing for rules; creating s. 377.806, F.S.; creating the Solar Energy System Incentives Program; providing definitions; creating the solar photovoltaic incentive program; providing eligibility requirements; providing rebate amounts; creating the solar thermal incentive program; providing for eligibility; providing rebate amounts; providing rulemaking authority to the Public Service Commission; requiring the Florida Solar Energy Center to certify the performance of solar equipment sold and installed in the state; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel" and "ethanol"; providing tax exemptions for the sale or use of certain energy efficient products; providing eligibility requirements and tax credit limits; directing the department to adopt rules; directing the department to determine and publish certain information relating to such exemptions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Department of Environmental Protection for specified purposes; amending s. 220.02, F.S.; providing the order of application of the renewable energy technologies investment tax credit; creating s. 220.192, F.S.; establishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing certain authority to the Department of Environmental Protection and the Department of Revenue; directing the Department of Environmental Protection to determine and publish certain information; amending s. 220.13, F.S.; providing an addition to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and make certain determinations; amending s. 403.503, F.S.; revising and providing definitions applicable to the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; providing the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; amending s. 403.5055, F.S.; revising provisions for certain permits associated with applications for electrical power plant certification; amending s. 403.506, F.S.; revising provisions relating to applicability and certification of certain power plants; amending s. 403.5064, F.S.; revising provisions for distribution of applications and schedules relating to certification; amending s. 403.5065, F.S.; revising provisions relating to the appointment of administrative law judges; amending s. 403.5066, F.S.; revising provisions relating to the determination of completeness for certain applications; creating s. 403.50663, F.S.; authorizing certain local governments and regional planning councils to hold an informational public meeting; providing requirements and procedures therefor; creating s. 403.50665, F.S.; requiring local governments to file certain land use determinations; providing requirements and procedures therefor; repealing s. 403.5067, F.S.; relating to the determination of sufficiency for certain applications; amending s. 403.507, F.S.; revising required statement provisions for affected agencies; amending s. 403.508, F.S.; revising provisions related to land use and certification proceedings; requiring certain notice; amending s. 403.509, F.S.; revising provisions related to the final disposition of certain applications; providing requirements and provisions with respect thereto; amending s. 403.511, F.S.; revising provisions related to the effect of certification for the construction and operation of proposed power plants; providing that issuance of certification meets certain consistency requirements; creating s. 403.5112, F.S.; requiring filing of notice for certified corridor routes; providing requirements and procedures with respect thereto; creating s. 403.5113, F.S.; authorizing postcertification amendments for power plant site certification applications; providing requirements and procedures with respect thereto; amending s. 403.5115, F.S.; requiring certain public notice for activities related to power plant site application, certification, and land use determination; providing requirements and procedures with respect thereto; directing the Department of Environmental Protection to maintain certain lists and provide copies to of certain publications; amending s. 403.513, F.S.; revising provisions for judicial review of appeals related to power plant site certification; amending s. 403.516, F.S.; revising provisions relating to modification of certification for power plant sites; amending s. 403.517, F.S.; revising the provisions relating to supplemental applications for certain power plant sites; amending s. 403.5175, F.S.; revising provisions relating to existing power plant site certification; revising the procedure for reviewing and processing applications; requiring additional information to be included in certain applications; amending s. 403.518, F.S.; revising the allocation of proceeds from certain fees collected; providing for reimbursement of certain expenses; directing the Department of Environmental Protection to establish rules for determination of certain fees; eliminating certain operational license fees; providing that applications for power plant certification be processed under laws applicable at the time the application is filed; providing exceptions; amending s. 403.519, F.S.; directing the Public Service Commission to consider fuel diversity

and reliability in certain determinations; providing for determination of need for nuclear power plants; providing an exemption from purchased power supply bid rule; creating s. 366.93, F.S.; providing definitions; requiring the Public Service Commission to implement rules related to nuclear power plant cost recovery; requiring a report; amending s. 403.52, F.S.; changing the short title to the "Florida Electric Transmission Line Siting Act"; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms "licensee" and "maintenance and access roads"; amending s. 403.523, F.S.; revising powers and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for the statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs' report; requiring the Department of Transportation, the Public Service Commission, and any other affected agency to prepare a project report; revising required content of the report; providing for notice of any nonprocedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the siting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the siting board; providing for the administrative law judge's or department's recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending ss. 373.441, 403.061, 403.0876, and 403.809, F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; requiring a report to the Governor and Legislature; providing appropriations; providing an effective date.

House Amendment 1 (784891)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Legislative findings and intent.—The Legislature finds that advancing the development of renewable energy technologies and energy efficiency is important for the state's future, its energy stability, and the protection of its citizens' public health and its environment. The Legislature finds that the development of renewable energy technologies and energy efficiency in the state will help to reduce demand for foreign fuels, promote energy diversity, enhance system reliability, reduce pollution, educate the public on the promise of renewable energy technologies, and promote economic growth. The Legislature finds that there is a need to assist in the development of market demand that will advance the commercialization and widespread application of renewable energy technologies. The Legislature further finds that the state is ideally positioned to stimulate economic development through such renewable energy technologies due to its ongoing and successful research and development track record in these areas, an abundance of natural and renewable energy sources, an ability to attract significant federal research and development funds, and the need to find and secure renewable energy technologies for the benefit of its citizens, visitors, and environment.*

Section 2. Section 377.801, Florida Statutes, is created to read:

377.801 Short title.—Sections 377.801-377.806 may be cited as the "Florida Renewable Energy Technologies and Energy Efficiency Act."

Section 3. Section 377.802, Florida Statutes, is created to read:

377.802 Purpose.—This act is intended to provide matching grants to stimulate capital investment in the state and to enhance the market for and promote the statewide utilization of renewable energy technologies. The targeted grants program is designed to advance the already growing establishment of renewable energy technologies in the state and encourage the use of other incentives such as tax exemptions and regulatory

certainty to attract additional renewable energy technology producers, developers, and users to the state. This act is also intended to provide incentives for the purchase of energy-efficient appliances and rebates for solar energy equipment installations for residential and commercial buildings.

Section 4. Section 377.803, Florida Statutes, is created to read:

377.803 Definitions.—As used in ss. 377.801-377.806, the term:

(1) "Act" means the Florida Renewable Energy Technologies and Energy Efficiency Act.

(2) "Approved metering equipment" means a device capable of measuring the energy output of a solar thermal system that has been approved by the commission.

(3) "Commission" means the Florida Public Service Commission.

(4) "Department" means the Department of Environmental Protection.

(5) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, or any other public or private entity.

(6) "Renewable energy" means electrical, mechanical, or thermal energy produced from a method that uses one or more of the following fuels or energy sources: hydrogen, biomass, solar energy, geothermal energy, wind energy, ocean energy, waste heat, or hydroelectric power.

(7) "Renewable energy technology" means any technology that generates or utilizes a renewable energy resource.

(8) "Solar energy system" means equipment that provides for the collection and use of incident solar energy for water heating, space heating or cooling, or other applications that would normally require a conventional source of energy such as petroleum products, natural gas, or electricity that performs primarily with solar energy. In other systems in which solar energy is used in a supplemental way, only those components that collect and transfer solar energy shall be included in this definition.

(9) "Solar photovoltaic system" means a device that converts incident sunlight into electrical current.

(10) "Solar thermal system" means a device that traps heat from incident sunlight in order to heat water.

Section 5. Section 377.804, Florida Statutes, is created to read:

377.804 Renewable Energy Technologies Grants Program.—

(1) The Renewable Energy Technologies Grants Program is established within the department to provide renewable energy matching grants for demonstration, commercialization, research, and development projects relating to renewable energy technologies.

(2) Matching grants for renewable energy technology demonstration, commercialization, research, and development projects may be made to any of the following:

(a) Municipalities and county governments.

(b) Established for-profit companies licensed to do business in the state.

(c) Universities and colleges in the state.

(d) Utilities located and operating within the state.

(e) Not-for-profit organizations.

(f) Other qualified persons, as determined by the department.

(3) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to provide for application requirements, provide for ranking of applications, and administer the awarding of grants under this program.

(4) Factors the department shall consider in awarding grants include, but are not limited to:

(a) The availability of matching funds or other in-kind contributions applied to the total project from an applicant. The department shall give greater preference to projects that provide such matching funds or other in-kind contributions.

(b) The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

(c) The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

(d) The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.

(e) The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable energy resource that has substantial long-term production potential.

(f) The degree to which a project demonstrates efficient use of energy and material resources.

(g) The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.

(h) The ability to administer a complete project.

(i) Project duration and timeline for expenditures.

(j) The geographic area in which the project is to be conducted in relation to other projects.

(k) The degree of public visibility and interaction.

(5) The department shall solicit the expertise of other state agencies in evaluating project proposals. State agencies shall cooperate with the Department of Environmental Protection and provide such assistance as requested.

(6) The department shall coordinate and actively consult with the Department of Agriculture and Consumer Services during the review and approval process of grants relating to bioenergy projects for renewable energy technology, and the departments shall jointly determine the grant awards to these bioenergy projects. No grant funding shall be awarded to any bioenergy project without such joint approval. Factors for consideration in awarding grants may include, but are not limited to, the degree to which:

(a) The project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for bioenergy.

(b) The project produces bioenergy from Florida-grown crops or biomass.

(c) The project demonstrates efficient use of energy and material resources.

(d) The project fosters overall understanding and appreciation of bioenergy technologies.

(e) Matching funds and in-kind contributions from an applicant are available.

(f) The project duration and the timeline for expenditures are acceptable.

(g) The project has a reasonable assurance of enhancing the value of agricultural products or will expand agribusiness in the state.

(h) Preliminary market and feasibility research has been conducted by the applicant or others and shows there is a reasonable assurance of a potential market.

Section 6. *The period from 12:01 a.m., October 5, through midnight, October 11, 2006, shall be designated "Energy Efficient Week," and the tax levied under chapter 212 may not be collected on the sale of a new*

energy-efficient product having a selling price of $1,500 or less per product during that period. This exemption applies only when the energy-efficient product is purchased for noncommercial home or personal use and does not apply when the product is purchased for trade, business, or resale. As used in this section, the term "energy-efficient product" means a dishwasher, clothes washer, air conditioner, ceiling fan, incandescent or florescent light bulb, dehumidifier, programmable thermostat, or refrigerator that has been designated by the United States Environmental Protection Agency or by the United States Department of Energy as meeting or exceeding the requirements under the Energy Star Program of either agency. Purchases made under this section may not be made using a business or company credit or debit card or check. Any construction company, building contractor, or commercial business or entity that purchases or attempts to purchase the energy-efficient products as exempt under this section commits an unfair method of competition in violation of s. 501.204, punishable as provided in s. 501.2075. The Department of Revenue may adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 7. Section 377.806, Florida Statutes, is created to read:

377.806 Solar Energy System Incentives Program.—

(1) PURPOSE.—The Solar Energy System Incentives Program is established within the department to provide financial incentives for the purchase and installation of solar energy systems. Any resident of the state who purchases and installs a new solar energy system of 2 kilowatts or larger for a solar photovoltaic system, a solar energy system that provides at least 50 percent of a building's hot water consumption for a solar thermal system, or a solar thermal pool heater, from July 1, 2006, through June 30, 2010, is eligible for a rebate on a portion of the purchase price of that solar energy system.

(2) SOLAR PHOTOVOLTAIC SYSTEM INCENTIVE.—

(a) Eligibility requirements.—A solar photovoltaic system qualifies for a rebate if:

1. The system is installed by a state-licensed master electrician, electrical contractor, or solar contractor.

2. The system complies with state interconnection standards as provided by the commission.

3. The system complies with all applicable building codes as defined by the local jurisdictional authority.

(b) Rebate amounts.—The rebate amount shall be set at $4 per watt based on the total wattage rating of the system. The maximum allowable rebate per solar photovoltaic system installation shall be as follows:

1. Twenty thousand dollars for a residence.

2. One hundred thousand dollars for a place of business, a publicly owned or operated facility, or a facility owned or operated by a private, not-for-profit organization, including condominiums or apartment buildings.

(3) SOLAR THERMAL SYSTEM INCENTIVE.—

(a) Eligibility requirements.—A solar thermal system qualifies for a rebate if:

1. The system is installed by a state-licensed solar or plumbing contractor.

2. The system complies with all applicable building codes as defined by the local jurisdictional authority.

(b) Rebate amounts.—Authorized rebates for installation of solar thermal systems shall be as follows:

1. Five hundred dollars for a residence.

2. Fifteen dollars per 1,000 Btu up to a maximum of $5,000 for a place of business, a publicly owned or operated facility, or a facility owned or operated by a private, not-for-profit organization, including condominiums or apartment buildings. Btu must be verified by approved metering equipment.

(4) SOLAR THERMAL POOL HEATER INCENTIVE.—

(a) Eligibility requirements.—A solar thermal pool heater qualifies for a rebate if the system is installed by a state-licensed solar or plumbing contractor and the system complies with all applicable building codes as defined by the local jurisdictional authority.

(b) Rebate amount.—Authorized rebates for installation of solar thermal pool heaters shall be $100 per installation.

(5) APPLICATION.—Application for a rebate must be made within 90 days after the purchase of the solar energy equipment.

(6) REBATE AVAILABILITY.—The department shall determine and publish on a regular basis the amount of rebate funds remaining in each fiscal year. The total dollar amount of all rebates issued by the department is subject to the total amount of appropriations in any fiscal year for this program. If funds are insufficient during the current fiscal year, any requests for rebates received during that fiscal year may be processed during the following fiscal year. Requests for rebates received in a fiscal year that are processed during the following fiscal year shall be given priority over requests for rebates received during the following fiscal year.

(7) RULES.—The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 to develop rebate applications and administer the issuance of rebates.

Section 8. *Florida Energy Commission.—*

(1) The Florida Energy Commission is created and shall be located within the Office of Legislative Services for administrative purposes. The commission shall be comprised of a total of nine members.

(a) The members shall be appointed as follows: the President of the Senate and the Speaker of the House of Representatives shall appoint four members each and shall jointly appoint the ninth member, who shall serve as chair. Members shall be appointed to 2-year terms; however, in order to establish staggered terms, for the initial appointments, each appointing official shall appoint two members to a 1-year term and two members to a 2-year term. Members must meet the following qualifications and restrictions:

1. A member must be an expert in one or more of the following fields: energy, natural resource conservation, economics, engineering, finance, law, consumer protection, state energy policy, or another field substantially related to the duties and functions of the commission. The commission shall fairly represent the fields specified in this subparagraph.

2. Each member shall, at the time of appointment and at each commission meeting during his or her term of office, disclose:

a. Whether he or she has any financial interest, other than ownership of shares in a mutual fund, in any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may profit by the policy recommendations developed by the commission.

b. Whether he or she is employed by or is engaged in any business activity with any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may profit by the policy recommendations developed by the commission.

(b) The following may also attend meetings and provide information and advise at the request of the chair:

1. The chair of the Florida Public Service Commission, or his or her designee.

2. The Public Counsel, or his or her designee.

3. The Commissioner of Agriculture, or his or her designee.

4. The Director of the Office of Insurance Regulation, or his or her designee.

5. The Secretary of Health, or his or her designee.

6. The chair of the State Board of Education, or his or her designee.

7. The Secretary of Community Affairs, or his or her designee.

8. The Secretary of Transportation, or his or her designee.

9. The Secretary of Environmental Protection, or his or her designee.

(2) Members shall serve without compensation but are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061, Florida Statutes.

(3) Meetings of the commission shall be held in various locations around the state and at the call of the chair; however, the commission must meet at least twice each year.

(4)(a) The commission may employ staff to assist in the performance of its duties, including an executive director, an attorney, a communications staff member, and an executive assistant.

(b) The commission may form advisory groups consisting of members of the public to provide information on specific issues.

(5) The commission shall develop recommendations for legislation to establish a state energy policy. The recommendations of the commission shall be based on the guiding principles of reliability, efficiency, affordability, and diversity as provided in subsection (7). The commission shall continually review the state energy policy and shall recommend to the Legislature any additional necessary changes or improvements.

(6)(a) The commission shall report by December 31 of each year to the President of the Senate and the Speaker of the House of Representatives on its progress and recommendations, including draft legislation.

(b) The commission's initial report must be filed by December 31, 2007, and must identify incentives for research, development, or deployment projects involving the goals and issues set forth in this section; set forth policy recommendations for conservation of all forms of energy; and set forth a plan of action, together with a timetable, for addressing additional issues.

(c) The commission's initial report shall also recommend consensus-based public-involvement processes that evaluate greenhouse gas emissions in this state and make recommendations regarding related economic, energy, and environmental benefits.

(d) The report must include recommended steps and a schedule for the development of a comprehensive state climate action plan with greenhouse gas reduction through a public-involvement process, including transportation and land use; power generation; residential, commercial, and industrial activities; waste management; agriculture and forestry; emissions-reporting systems; and public education.

(7) In developing its recommendations, the commission shall be guided by the principles of reliability, efficiency, affordability, and diversity, and more specifically as follows:

(a) The state should have a reliable electric supply with adequate reserves.

(b) The transmission and delivery of electricity should be reliable.

(c) The generation, transmission, and delivery of electricity should be accomplished with the least detriment to the environment and public health.

(d) The generation, transmission, and delivery of electricity should be accomplished compatibly with the goals for growth management.

(e) Electricity generation, transmission, and delivery facilities should be reasonably secure from damage, taking all factors into consideration, and recovery from damage should be prompt.

(f) Electric rates should be affordable, as to base rates and all recovery-clause additions, with sufficient incentives for utilities to achieve this goal.

(g) The state should have a reliable supply of motor vehicle fuels, both under normal circumstances and during hurricanes and other emergency situations.

(h) In-state research, development, and deployment of alternative energy technologies and alternative motor vehicle fuels should be encouraged.

(i) When possible, the resources of the state should be used in achieving the goals enumerated in this subsection.

(j) Consumers of energy should be encouraged and given incentives to be more efficient in their use of energy.

It is the specific intent of the Legislature that nothing in this section shall in any way change the powers, duties, and responsibilities of the Public Service Commission or the powers, duties, and responsibilities assigned by the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518, Florida Statutes.

Section 9. Paragraph (ccc) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(ccc) Equipment, machinery, and other materials for renewable energy technologies.—

1. As used in this paragraph, the term:

a. "Biodiesel" means the mono-alkyl esters of long-chain fatty acids derived from plant or animal matter for use as a source of energy and meeting the specifications for biodiesel and biodiesel blends with petroleum products as adopted by the Department of Agriculture and Consumer Services. Biodiesel may refer to biodiesel blends designated BXX, where XX represents the volume percentage of biodiesel fuel in the blend.

b. "Ethanol" means nominally anhydrous denatured alcohol produced by the fermentation of plant sugars meeting the specifications for fuel ethanol and fuel ethanol blends with petroleum products as adopted by the Department of Agriculture and Consumer Services. Ethanol may refer to fuel ethanol blends designated EXX, where XX represents the volume percentage of fuel ethanol in the blend.

c. "Hydrogen fuel cells" means equipment using hydrogen or a hydrogen-rich fuel in an electrochemical process to generate energy, electricity, or the transfer of heat.

2. The sale or use of the following in the state is exempt from the tax imposed by this chapter:

a. Hydrogen-powered vehicles, materials incorporated into hydrogen-powered vehicles, and hydrogen-fueling stations, up to a limit of $2 million in tax each state fiscal year for all taxpayers.

b. Commercial stationary hydrogen fuel cells, up to a limit of $1 million in tax each state fiscal year for all taxpayers.

c. Materials used in the distribution of biodiesel (B10-B100) and ethanol (E10-100), including fueling infrastructure, transportation, and storage, up to a limit of $1 million in tax each state fiscal year for all taxpayers. Gasoline fueling station pump retrofits for ethanol (E10-E100)

distribution qualify for the exemption provided in this sub-subparagraph.

3. The Department of Environmental Protection shall provide to the department a list of items eligible for the exemption provided in this paragraph.

4.a. The exemption provided in this paragraph shall be available to a purchaser only through a refund of previously paid taxes.

b. To be eligible to receive the exemption provided in this paragraph, a purchaser shall file an application with the Department of Environmental Protection. The application shall be developed by the Department of Environmental Protection, in consultation with the department, and shall require:

(I) The name and address of the person claiming the refund.

(II) A specific description of the purchase for which a refund is sought, including, when applicable, a serial number or other permanent identification number.

(III) The sales invoice or other proof of purchase showing the amount of sales tax paid, the date of purchase, and the name and address of the sales tax dealer from whom the property was purchased.

(IV) A sworn statement that the information provided is accurate and that the requirements of this paragraph have been met.

c. Within 30 days after receipt of an application, the Department of Environmental Protection shall review the application and shall notify the applicant of any deficiencies. Upon receipt of a completed application, the Department of Environmental Protection shall evaluate the application for exemption and issue a written certification that the applicant is eligible for a refund or issue a written denial of such certification within 60 days after receipt of the application. The Department of Environmental Protection shall provide the department with a copy of each certification issued upon approval of an application.

d. Each certified applicant shall be responsible for forwarding a certified copy of the application and copies of all required documentation to the department within 6 months after certification by the Department of Environmental Protection.

e. The provisions of s. 212.095 do not apply to any refund application made pursuant to this paragraph. A refund approved pursuant to this paragraph shall be made within 30 days after formal approval by the department.

f. The department may adopt all rules pursuant to ss. 120.536(1) and 120.54 to administer this paragraph, including rules establishing forms and procedures for claiming this exemption.

g. The Department of Environmental Protection shall be responsible for ensuring that the total amounts of the exemptions authorized do not exceed the limits as specified in subparagraph 2.

5. The Department of Environmental Protection shall determine and publish on a regular basis the amount of sales tax funds remaining in each fiscal year.

6. This paragraph expires July 1, 2010.

Section 10. Paragraph (y) is added to subsection (7) of section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(7) Notwithstanding any other provision of this section, the department may provide:

(y) Information relative to ss. 212.08(7)(ccc) and 220.192 to the Department of Environmental Protection for use in the conduct of its official business.

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 11. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 221.02, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, ~~and~~ those enumerated in s. 220.187*, those enumerated in s. 220.192, and those enumerated in s. 220.193*.

Section 12. Section 220.192, Florida Statutes, is created to read:

220.192 Renewable energy technologies investment tax credit.—

(1) DEFINITIONS.—For purposes of this section, the term:

(a) "Biodiesel" means biodiesel as defined in s. 212.08(7)(ccc).

(b) "Eligible costs" means:

1. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of $3 million per state fiscal year for all taxpayers, in connection with an investment in hydrogen-powered vehicles and hydrogen vehicle fueling stations in the state, including, but not limited to, the costs of constructing, installing, and equipping such technologies in the state.

2. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of $1.5 million per state fiscal year for all taxpayers, and limited to a maximum of $12,000 per fuel cell, in connection with an investment in commercial stationary hydrogen fuel cells in the state, including, but not limited to, the costs of constructing, installing, and equipping such technologies in the state.

3. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of $6.5 million per state fiscal year for all taxpayers, in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100) and ethanol (E10-E100) in the state, including the costs of constructing, installing, and equipping such technologies in the state. Gasoline fueling station pump retrofits for ethanol (E10-E100) distribution qualify as an eligible cost under this subparagraph.

(c) "Ethanol" means ethanol as defined in s. 212.08(7)(ccc).

(d) "Hydrogen fuel cell" means hydrogen fuel cell as defined in s. 212.08(7)(ccc).

(2) TAX CREDIT.—For tax years beginning on or after January 1, 2007, a credit against the tax imposed by this chapter shall be granted in an amount equal to the eligible costs. Credits may be used in tax years beginning January 1, 2007, and ending December 31, 2010, after which the credit shall expire. If the credit is not fully used in any one tax year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward and used in tax years beginning January 1, 2007, and ending December 31, 2012, after which the credit carryover expires and may not be used. A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group. Any eligible cost for which a credit is claimed and which is deducted or otherwise reduces federal taxable income shall be added back in computing adjusted federal income under s. 220.13.

(3) CORPORATE APPLICATION PROCESS.—Any corporation wishing to obtain tax credits available under this section must submit to the Department of Environmental Protection an application for tax credit that includes a complete description of all eligible costs for which the corporation is seeking a credit and a description of the total amount of credits sought. The Department of Environmental Protection shall make

a determination on the eligibility of the applicant for the credits sought and certify the determination to the applicant and the Department of Revenue. The corporation must attach the Department of Environmental Protection's certification to the tax return on which the credit is claimed. The Department of Environmental Protection shall be responsible for ensuring that the corporate income tax credits granted in each fiscal year do not exceed the limits provided for in this section. The Department of Environmental Protection is authorized to adopt the necessary rules, guidelines, and application materials for the application process.

(4) TAXPAYER APPLICATION PROCESS.—To claim a credit under this section, each taxpayer must apply to the Department of Environmental Protection for an allocation of each type of annual credit by the date established by the Department of Environmental Protection. The application form may be established by the Department of Environmental Protection and shall include an affidavit from each taxpayer certifying that all information contained in the application, including all records of eligible costs claimed as the basis for the tax credit, are true and correct. Approval of the credits under this section shall be accomplished on a first-come, first-served basis, based upon the date complete applications are received by the Department of Environmental Protection. A taxpayer shall submit only one complete application based upon eligible costs incurred within a particular state fiscal year. Incomplete placeholder applications will not be accepted and will not secure a place in the first-come, first-served application line. If a taxpayer does not receive a tax credit allocation due to the exhaustion of the annual tax credit authorizations, then such taxpayer may reapply in the following year for those eligible costs and will have priority over other applicants for the allocation of credits.

(5) ADMINISTRATION; AUDIT AUTHORITY; RECAPTURE OF CREDITS.—

(a) In addition to its existing audit and investigation authority, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, and records of the tax credit applicant, that are necessary to verify the eligible costs included in the tax credit return and to ensure compliance with this section. The Department of Environmental Protection shall provide technical assistance when requested by the Department of Revenue on any technical audits or examinations performed pursuant to this section.

(b) It is grounds for forfeiture of previously claimed and received tax credits if the Department of Revenue determines, as a result of either an audit or examination or from information received from the Department of Environmental Protection, that a taxpayer received tax credits pursuant to this section to which the taxpayer was not entitled. The taxpayer is responsible for returning forfeited tax credits to the Department of Revenue, and such funds shall be paid into the General Revenue Fund of the state.

(c) The Department of Environmental Protection may revoke or modify any written decision granting eligibility for tax credits under this section if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits under this section. The Department of Environmental Protection shall immediately notify the Department of Revenue of any revoked or modified orders affecting previously granted tax credits. Additionally, the taxpayer must notify the Department of Revenue of any change in its tax credit claimed.

(d) The taxpayer shall file with the Department of Revenue an amended return or such other report as the Department of Revenue prescribes by rule and shall pay any required tax and interest within 60 days after the taxpayer receives notification from the Department of Environmental Protection that previously approved tax credits have been revoked or modified. If the revocation or modification order is contested, the taxpayer shall file an amended return or other report as provided in this paragraph within 60 days after a final order is issued following proceedings.

(e) A notice of deficiency may be issued by the Department of Revenue at any time within 3 years after the taxpayer receives formal notification from the Department of Environmental Protection that previously approved tax credits have been revoked or modified. If a taxpayer fails to notify the Department of Revenue of any changes to its tax credit claimed, a notice of deficiency may be issued at any time.

(6) RULES.—The Department of Revenue shall have the authority to adopt rules relating to the forms required to claim a tax credit under this section, the requirements and basis for establishing an entitlement to a credit, and the examination and audit procedures required to administer this section.

(7) PUBLICATION.—The Department of Environmental Protection shall determine and publish on a regular basis the amount of available tax credits remaining in each fiscal year.

Section 13. Section 220.193, Florida Statutes, is created to read:

220.193 Florida renewable energy production credit.—

(1) The purpose of this section is to encourage the development and expansion of facilities that produce renewable energy in Florida.

(2) As used in this section, the term:

(a) "Commission" shall mean the Public Service Commission.

(b) "Department" shall mean the Department of Revenue.

(c) "Expanded facility" shall mean a Florida renewable energy facility that increases its electrical production and sale by more than 5 percent above the facility's electrical production and sale during the 2005 calendar year.

(d) "Florida renewable energy facility" shall mean a facility in the state that produces electricity for sale from renewable energy, as defined in s. 377.803.

(e) "New facility" shall mean a Florida renewable energy facility that is operationally placed in service after May 1, 2006.

(3) An annual credit against the tax imposed by this section shall be allowed to a taxpayer, based on the taxpayer's production and sale of electricity from a new or expanded Florida renewable energy facility. For a new facility, the credit shall be based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit shall be based on the increases in the facility's electrical production that are achieved after May 1, 2006.

(a) The credit shall be $0.01 for each kilowatt-hour of electricity produced and sold by the taxpayer to an unrelated party during a given tax year.

(b) The credit may be claimed for electricity produced and sold on or after January 1, 2007. Beginning in 2008 and continuing until 2011, each taxpayer claiming a credit under this section must first apply to the department by February 1 of each year for an allocation of available credit. The department, in consultation with the commission, shall develop an application form. The application form shall, at a minimum, require a sworn affidavit from each taxpayer certifying the increase in production and sales that form the basis of the application and certifying that all information contained in the application is true and correct.

(c) If the amount of credits applied for each year exceeds $5 million, the department shall award to each applicant a prorated amount based on each applicant's increased production and sales and the increased production and sales of all applicants.

(d) If the credit granted pursuant to this section is not fully used in one year because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year, after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8).

(e) A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group.

(f)1. Tax credits that may be available under this section to an entity eligible under this section may be transferred after a merger or acquisition to the surviving or acquiring entity and used in the same manner with the same limitations.

2. The entity or its surviving or acquiring entity as described in subparagraph 1. may transfer any unused credit in whole or in units of no less than 25 percent of the remaining credit. The entity acquiring such credit may use it in the same manner and with the same limitations under this section. Such transferred credits may not be transferred again although they may succeed to a surviving or acquiring entity subject to the same conditions and limitations as described in this section.

3. In the event the credit provided for under this section is reduced as a result of an examination or audit by the department, such tax deficiency shall be recovered from the first entity or the surviving or acquiring entity to have claimed such credit up to the amount of credit taken. Any subsequent deficiencies shall be assessed against any entity acquiring and claiming such credit, or in the case of multiple succeeding entities in the order of credit succession.

(g) Notwithstanding any other provision of this section, credits for the production and sale of electricity from a new or expanded Florida renewable energy facility may be earned between January 1, 2007 and June 30, 2010. The combined total amount of tax credits which may be granted for all taxpayers under this section is limited to $5 million per state fiscal year.

(h) A taxpayer claiming a credit under this section shall be required to add back to net income that portion of its business deductions claimed on its federal return paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under this section.

(i) A taxpayer claiming credit under this section may not claim a credit under s. 220.192. A taxpayer claiming credit under s. 220.192 may not claim a credit under this section.

(4) The department may adopt rules to implement and administer this section, including rules prescribing forms, the documentation needed to substantiate a claim for the tax credit, and the specific procedures and guidelines for claiming the credit.

(5) This section shall take effect upon becoming law and shall apply to tax years beginning on and after January 1, 2007.

Section 14. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.—There shall be added to such taxable income:

1. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. The provisions of this subparagraph shall expire and be void on June 30, 2005.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. The provisions of this subparagraph shall expire and be void on June 30, 2005.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.187.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

Section 15. Subsection (2) of section 186.801, Florida Statutes, is amended to read:

186.801 Ten-year site plans.—

(2) Within 9 months after the receipt of the proposed plan, the commission shall make a preliminary study of such plan and classify it as "suitable" or "unsuitable." The commission may suggest alternatives to the plan. All findings of the commission shall be made available to the Department of Environmental Protection for its consideration at any subsequent electrical power plant site certification proceedings. It is recognized that 10-year site plans submitted by an electric utility are tentative information for planning purposes only and may be amended at any time at the discretion of the utility upon written notification to the commission. A complete application for certification of an electrical power plant site under chapter 403, when such site is not designated in the current 10-year site plan of the applicant, shall constitute an amendment to the 10-year site plan. In its preliminary study of each 10-year site plan, the commission shall consider such plan as a planning document and shall review:

(a) The need, including the need as determined by the commission, for electrical power in the area to be served.

(b) The effect on fuel diversity within the state.

(c)~~(b)~~ The anticipated environmental impact of each proposed electrical power plant site.

(d)~~(c)~~ Possible alternatives to the proposed plan.

(e)~~(d)~~ The views of appropriate local, state, and federal agencies, including the views of the appropriate water management district as to the availability of water and its recommendation as to the use by the proposed plant of salt water or fresh water for cooling purposes.

(f)~~(e)~~ The extent to which the plan is consistent with the state comprehensive plan.

(g)~~(f)~~ The plan with respect to the information of the state on energy availability and consumption.

Section 16. Subsection (6) of section 366.04, Florida Statutes, is amended to read:

366.04 Jurisdiction of commission.—

(6) The commission shall further have exclusive jurisdiction to prescribe and enforce safety standards for transmission and distribution facilities of all public electric utilities, cooperatives organized under the Rural Electric Cooperative Law, and electric utilities owned and operated by municipalities. In adopting safety standards, the commission shall*, at a minimum*:

(a) Adopt the 1984 edition of the National Electrical Safety Code (ANSI C2) as initial standards; and

(b) Adopt, after review, any new edition of the National Electrical Safety Code (ANSI C2).

The standards prescribed by the current 1984 edition of the National Electrical Safety Code (ANSI C2) shall constitute acceptable and adequate requirements for the protection of the safety of the public, and compliance with the minimum requirements of that code shall constitute good engineering practice by the utilities. The administrative authority referred to in the 1984 edition of the National Electrical Safety Code is the commission. However, nothing herein shall be construed as superseding, repealing, or amending the provisions of s. 403.523(1) and (10).

Section 17. Subsections (1) and (8) of section 366.05, Florida Statutes, are amended to read:

366.05 Powers.—

(1) In the exercise of such jurisdiction, the commission shall have power to prescribe fair and reasonable rates and charges, classifications, standards of quality and measurements, *including the ability to adopt construction standards that exceed the National Electrical Safety Code, for purposes of ensuring the reliable provision of service,* and service rules and regulations to be observed by each public utility; to require repairs, improvements, additions, *replacements,* and extensions to the plant and equipment of any public utility when reasonably necessary to promote the convenience and welfare of the public and secure adequate service or facilities for those reasonably entitled thereto; to employ and fix the compensation for such examiners and technical, legal, and clerical employees as it deems necessary to carry out the provisions of this chapter; and to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce the provisions of this chapter.

(8) If the commission determines that there is probable cause to believe that inadequacies exist with respect to the energy grids developed by the electric utility industry, *including inadequacies in fuel diversity or fuel supply reliability,* it shall have the power, after proceedings as provided by law, and after a finding that mutual benefits will accrue to the electric utilities involved, to require installation or repair of necessary facilities, including generating plants and transmission facilities, with the costs to be distributed in proportion to the benefits received, and to take all necessary steps to ensure compliance. The electric utilities involved in any action taken or orders issued pursuant to this subsection shall have full power and authority, notwithstanding any general or special laws to the contrary, to jointly plan, finance, build, operate, or lease generating and transmission facilities and shall be further authorized to exercise the powers granted to corporations in chapter 361. This subsection shall not supersede or control any provision of the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518.

Section 18. Section 366.92, Florida Statutes, is created to read:

366.92 Florida renewable energy policy.—

(1) It is the intent of the Legislature to promote the development of renewable energy; protect the economic viability of Florida's existing renewable energy facilities; diversify the types of fuel used to generate electricity in Florida; lessen Florida's dependence on natural gas and fuel oil for the production of electricity; minimize the volatility of fuel costs; encourage investment within the state; improve environmental conditions; and at the same time, minimize the costs of power supply to electric utilities and their customers.

(2) For the purposes of this section, "Florida renewable energy resources" shall mean renewable energy, as defined in s. 377.803, that is produced in Florida.

(3) The commission may adopt appropriate goals for increasing the use of existing, expanded, and new Florida renewable energy resources. The commission may change the goals. The commission may review and reestablish the goals at least once every five years.

(4) The commission may adopt rules to administer and implement the provisions of this section.

Section 19. *(1) The Florida Public Service Commission shall direct a study of the electric transmission grid in the state. The study shall look at electric system reliability to examine the efficiency and reliability of power transfer and emergency contingency conditions. In addition, the study shall examine the hardening of infrastructure to address issues arising from the 2004 and 2005 hurricane seasons. A report of the results of the study shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007.*

(2) The commission shall conduct a review to determine what should be done to enhance the reliability of Florida's transmission and distribution grids during extreme weather events, including the strengthening of distribution and transmission facilities. Considerations may include:

(a) Recommendations for promoting and encouraging underground electric distribution for new service or construction provided by public utilities.

(b) Recommendations for promoting and encouraging the conversion of existing overhead distribution facilities to underground facilities, including any recommended incentives to local governments for local-government-sponsored conversions.

(c) Recommendations as to whether incentives for local-government-sponsored conversions should include participation by a public utility in the conversion costs as an investment in the reliability of the grid in total, with such investment recognized as a new plant in service for regulatory purposes.

(d) Recommendations for promoting and encouraging the use of road rights-of-way for the location of underground facilities in any local-government-sponsored conversion project, provided the customers of the public utility do not incur increased liability and future relocation costs.

(3) The commission shall submit its review and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2007.

(4) This section does not limit the existing jurisdiction or powers of the commission. It may not be construed to delay or defer any activities that are currently docketed which relate to matters to be addressed by the study required by this section, nor may it be construed to delay or defer any case or proceeding that may be initiated before the commission pursuant to current statutory powers of the commission.

Section 20. Subsections (5), (8), (9), (12), (18), (24), and (27) of section 403.503, Florida Statutes, are amended, subsections (6) through (28) are renumbered as (7) through (29), respectively, and new subsections (6) and (16) are added to that section, to read:

403.503 Definitions relating to Florida Electrical Power Plant Siting Act.—As used in this act:

(5) "Application" means the documents required by the department to be filed to initiate a certification *review and evaluation, including the initial document filing, amendments, and responses to requests from the department for additional data and information* ~~proceeding and shall include the documents necessary for the department to render a decision on any permit required pursuant to any federally delegated or approved permit program~~.

(6) "Associated facilities" means, for the purpose of certification, those facilities which directly support the construction and operation of the electrical power plant such as fuel unloading facilities; pipelines necessary for transporting fuel for the operation of the facility or other fuel transportation facilities; water or wastewater transport pipelines; construction, maintenance, and access roads; and railway lines necessary for transport of construction equipment or fuel for the operation of the facility.

(8) "Completeness" means that the application has addressed all applicable sections of the prescribed application format, *and* ~~but does not mean~~ that those sections are sufficient in comprehensiveness of data or in quality of information provided *to allow the department to determine whether the application provides the reviewing agencies adequate information to prepare the reports required by s. 403.507.*

(9) "Corridor" means the proposed area within which an associated linear facility right-of-way is to be located. The width of the corridor proposed for certification as an associated facility, at the option of the applicant, may be the width of the right-of-way or a wider boundary, not to exceed a width of 1 mile. The area within the corridor in which a right-of-way may be located may be further restricted by a condition of certification. After all property interests required for the right-of-way have been acquired by the *licensee* ~~applicant~~, the boundaries of the area certified shall narrow to only that land within the boundaries of the right-of-way.

(12) "Electrical power plant" means, for the purpose of certification, any steam or solar electrical generating facility using any process or fuel, including nuclear materials, ~~and includes associated facilities which directly support the construction and operation of the electrical power plant and those associated transmission lines which connect the electrical power plant to an existing transmission network or rights-of-way to which the applicant intends to connect,~~ except that this term does not include any steam or solar electrical generating facility of less than 75 megawatts in capacity unless the applicant for such a facility elects to apply for certification under this act. *This term includes associated facilities to be owned by the applicant which are physically connected to the electrical power plant site or which are directly connected to the electrical power plant site by other proposed associated facilities to be owned by the applicant, and associated transmission lines to be owned by the applicant which connect the electrical power plant to an existing transmission network or rights-of-way of which the applicant intends to connect.* ~~An associated transmission line may include,~~ At the applicant's option, *this term may include, any offsite associated facilities which will not be owned by the applicant; offsite associated facilities which are owned by the applicant but which are not directly connected to the electrical power plant site;* any proposed terminal or intermediate substations or substation expansions connected to the associated transmission line*; or new transmission lines, upgrades, or improvements of an existing transmission line on any portion of the applicant's electrical transmission system necessary to support the generation injected into the system from the proposed electrical power plant*.

(16) "Licensee" means an applicant that has obtained a certification order for the subject project.

(19)~~(18)~~ "Nonprocedural requirements of agencies" means any agency's regulatory requirements established by statute, rule, ordinance, *zoning ordinance, land development code,* or comprehensive plan, excluding any provisions prescribing forms, fees, procedures, or time limits for the review or processing of information submitted to demonstrate compliance with such regulatory requirements.

(25)~~(24)~~ "Right-of-way" means land necessary for the construction and maintenance of a connected associated linear facility, such as a railroad line, pipeline, or transmission line *as owned by or proposed to be certified by the applicant*. The typical width of the right-of-way shall be identified in the application. The right-of-way shall be located within the certified corridor and shall be identified by the applicant subsequent to certification in documents filed with the department prior to construction.

(28)~~(27)~~ *"Ultimate site capacity" means the maximum generating capacity for a site as certified by the board.* ~~"Sufficiency" means that the application is not only complete but that all sections are sufficient in the comprehensiveness of data or in the quality of information provided to allow the department to determine whether the application provides the reviewing agencies adequate information to prepare the reports required by s. 403.507.~~

Section 21. Subsections (1), (7), (9), and (10) of section 403.504, Florida Statutes, are amended, and new subsections (9), (10), (11), and (12) are added to that section, to read:

403.504 Department of Environmental Protection; powers and duties enumerated.—The department shall have the following powers and duties in relation to this act:

(1) To adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this act, including rules setting forth environmental precautions to be followed in relation to the location*, construction,* and operation of electrical power plants.

(7) To conduct studies and prepare a *project* ~~written~~ analysis under s. 403.507.

(9) To issue final orders after receipt of the administrative law judge's order relinquishing jurisdiction pursuant to s. 403.508(6).

(10) To act as clerk for the siting board.

(11) To administer and manage the terms and conditions of the certification order and supporting documents and records for the life of the facility.

(12) To issue emergency orders on behalf of the board for facilities licensed under this act.

~~(9) To notify all affected agencies of the filing of a notice of intent within 15 days after receipt of the notice.~~

~~(10) To issue, with the electrical power plant certification, any license required pursuant to any federally delegated or approved permit program.~~

Section 22. Section 403.5055, Florida Statutes, is amended to read:

403.5055 Application for permits pursuant to s. 403.0885.—In processing applications for permits pursuant to s. 403.0885 that are associated with applications for electrical power plant certification:

(1) The procedural requirements set forth in 40 C.F.R. s. 123.25, including public notice, public comments, and public hearings, shall be closely coordinated with the certification process established under this part. In the event of a conflict between the certification process and federally required procedures for NPDES permit issuance, the applicable federal requirements shall control.

~~(2) The department's proposed action pursuant to 40 C.F.R. s. 124.6, including any draft NPDES permit (containing the information required under 40 C.F.R. s. 124.6(d)), shall within 130 days after the submittal of a complete application be publicly noticed and transmitted to the United States Environmental Protection Agency for its review pursuant to 33 U.S.C. s. 1342(d).~~

(2)~~(3)~~ *If available at the time the department issues its project analysis pursuant to s. 403.507(5),* the department shall include in its *project analysis* ~~written analysis pursuant to s. 403.507(3)~~ copies of the department's proposed action pursuant to 40 C.F.R. s. 124.6 on any application for a NPDES permit; any corresponding comments received from the United States Environmental Protection Agency, the applicant, or the general public; and the department's response to those comments.

(3)~~(4)~~ The department shall not issue or deny the permit pursuant to s. 403.0885 in advance of the issuance of the *electrical* ~~electric~~ power plant certification under this part *unless required to do so by the provisions of federal law. When possible, any hearing on a permit issued pursuant to s. 403.0885 shall be conducted in conjunction with the certification hearing held pursuant to this act*. The department's actions on an NPDES permit shall be based on the record and recommended order of the certification hearing*, if the hearing on the NPDES was conducted in conjunction with the certification hearing,* and of any other proceeding held in connection with the application for an NPDES permit, timely public comments received with respect to the application, and the provisions of federal law. The department's action on an NPDES permit, if issued, shall differ from the actions taken by the siting board regarding the certification order if federal laws and regulations require different action to be taken to ensure compliance with the Clean Water Act, as amended, and implementing regulations. Nothing in this part shall be construed to displace the department's authority as the final permitting entity under the federally approved state NPDES program. Nothing in this part shall be construed to authorize the issuance of a state NPDES permit which does not conform to the requirements of the federally approved state NPDES program. ~~The permit, if issued, shall be valid for no more than 5 years.~~

~~(5) The department's action on an NPDES permit renewal, if issued, shall differ from the actions taken by the siting board regarding the certification order if federal laws and regulations require different action to be taken to ensure compliance with the Clean Water Act, as amended, and implementing regulations.~~

Section 23. Section 403.506, Florida Statutes, is amended to read:

403.506 Applicability*, thresholds,* and certification.—

(1) The provisions of this act shall apply to any electrical power plant as defined herein, except that the provisions of this act shall not apply to any electrical power plant or steam generating plant of less than 75 megawatts in capacity or to any substation to be constructed as part of an associated transmission line unless the applicant has elected to apply for certification of such plant or substation under this act. *The provisions of this act shall not apply to any unit capacity expansion of 35 megawatts or less of an existing exothermic reaction cogeneration unit that was exempt from this act when it was originally built; however, this exemption shall not apply if the unit uses oil or natural gas for purposes other than unit startup.* No construction of any new electrical power plant or expansion in steam generating capacity *as measured by an increase in the maximum electrical generator rating* of any existing electrical power plant may be undertaken after October 1, 1973, without first obtaining certification in the manner as herein provided, except that this act shall not apply to any such electrical power plant which is presently operating or under construction or which has, upon the effective date of chapter 73-33, Laws of Florida, applied for a permit or certification under requirements in force prior to the effective date of such act.

(2) Except as provided in the certification, modification of nonnuclear fuels, internal related hardware, *including increases in steam turbine efficiency,* or operating conditions not in conflict with certification which increase the electrical output of a unit to no greater capacity than the maximum *electrical generator rating* ~~operating capacity~~ of the existing generator shall not constitute an alteration or addition to generating capacity which requires certification pursuant to this act.

~~(3) The application for any related department license which is required pursuant to any federally delegated or approved permit program shall be processed within the time periods allowed by this act, in lieu of those specified in s. 120.60. However, permits issued pursuant to s. 403.0885 shall be processed in accordance with 40 C.F.R. part 123.~~

Section 24. Section 403.5064, Florida Statutes, is amended to read:

403.5064 *Application* ~~Distribution of application~~; schedules.—

(1) The formal date of filing of a certification application and commencement of the certification review process shall be when the applicant submits:

(a) Copies of the certification application in a quantity and format as prescribed by rule to the department and other agencies identified in s. 403.507(2)(a).

(b) The application fee specified under s. 403.518 to the department.

(2)~~(1)~~ Within 7 days after the filing of an application, the department shall provide to the applicant and the Division of Administrative Hearings the names and addresses of *any additional* ~~those affected or other~~ agencies *or persons* entitled to notice and copies of the application and any amendments. *Copies of the application shall be distributed within 5 days by the applicant to these additional agencies. This distribution shall not be a basis for altering the schedule of dates for the certification process.*

(3) Any amendment to the application made prior to certification shall be disposed of as part of the original certification proceeding. Amendment of the application may be considered good cause for alteration of time limits pursuant to s. 403.5095.

(4)~~(2)~~ Within 7 days after *the filing of an application* ~~completeness has been determined~~, the department shall prepare a *proposed* schedule of dates for *determination of completeness,* submission of statements of issues, ~~determination of sufficiency, and~~ submittal of final reports*,* ~~from affected and other agencies~~ and other significant dates to be followed during the certification process, including dates for filing notices of appearance to be a party pursuant to s. 403.508*(3)*~~(4)~~. This schedule shall be timely provided by the department to the applicant, the administrative law judge, all agencies identified pursuant to subsection *(2)* ~~(1)~~, and all parties. *Within 7 days after the filing of the proposed schedule, the administrative law judge shall issue an order establishing a schedule for the matters addressed in the department's proposed schedule and other appropriate matters, if any.*

(5)~~(3)~~ ~~Within 7 days after completeness has been determined, the applicant shall distribute copies of the application to all agencies identified by the department pursuant to subsection (1).~~ Copies of changes and amendments to the application shall be timely distributed by the applicant to all ~~affected~~ agencies and parties *who have received a copy of the application*.

(6) Notice of the filing of the application shall be published in accordance with the requirements of s. 403.5115.

Section 25. Section 403.5065, Florida Statutes, is amended to read:

403.5065 Appointment of administrative law judge*; powers and duties*.—

(1) Within 7 days after receipt of an application, ~~whether complete or not,~~ the department shall request the Division of Administrative Hearings to designate an administrative law judge to conduct the hearings required by this act. The division director shall designate an administrative law judge within 7 days after receipt of the request from the department. In designating an administrative law judge for this purpose, the division director shall, whenever practicable, assign an administrative law judge who has had prior experience or training in electrical power plant site certification proceedings. Upon being advised that an administrative law judge has been appointed, the department shall immediately file a copy of the application and all supporting documents with the designated administrative law judge, who shall docket the application.

(2) The administrative law judge shall have all powers and duties granted to administrative law judges by chapter 120 and by the laws and rules of the department.

Section 26. Section 403.5066, Florida Statutes, is amended to read:

403.5066 Determination of completeness.—

(1)(a) Within 30 days after the filing of an application, affected agencies shall file a statement with the department containing each agency's recommendations on the completeness of the application.

(b) Within *40* ~~15~~ days after *the filing* ~~receipt~~ of an application, the department shall file a statement with the Division of Administrative Hearings*,* ~~and~~ with the applicant*, and with all parties* declaring its position with regard to the completeness~~, not the sufficiency,~~ of the application. *The department's statement shall be based upon consultation with the affected agencies.*

(2)~~(1)~~ If the department declares the application to be incomplete, the applicant, within 15 days after the filing of the statement by the department, shall file with the Division of Administrative Hearings*,* ~~and~~ with the department*, and all parties* ~~a statement~~:

(a) *A withdrawal of* ~~Agreeing with the statement of the department and withdrawing~~ the application;

(b) *A statement agreeing to supply the additional information necessary to make the application complete. Such additional information shall be provided within 30 days after the issuance of the department's statement on completeness of the application. The time schedules under this act shall not be tolled if the applicant makes the application complete within 30 days after the issuance of the department's statement on completeness of the application. A subsequent finding by the department that the application remains incomplete, based upon the additional information submitted by the applicant or upon the failure of the applicant to timely submit the additional information, tolls the time schedules under this act until the application is determined complete;* ~~Agreeing with the statement of the department and agreeing to amend the application without withdrawing it. The time schedules referencing a complete application under this act shall not commence until the application is determined complete; or~~

(c) *A statement contesting the department's determination of incompleteness; or* ~~contesting the statement of the department.~~

(d) A statement agreeing with the department and requesting additional time beyond 30 days to provide the information necessary to make the application complete. If the applicant exercises this option, the time schedules under this act are tolled until the application is determined complete.

(3)(a)~~(2)~~ If the applicant contests the determination by the department that an application is incomplete, the administrative law judge shall schedule a hearing on the statement of completeness. The hearing shall be held as expeditiously as possible, but not later than *21* ~~30~~ days after the filing of the statement by the department. The administrative law judge shall render a decision within *7* ~~10~~ days after the hearing.

(b) Parties to a hearing on the issue of completeness shall include the applicant, the department, and any agency that has jurisdiction over the matter in dispute.

(c)~~(a)~~ If the administrative law judge determines that the application was not complete ~~as filed~~, the applicant shall withdraw the application or make such additional submittals as necessary to complete it. The time schedules referencing a complete application under this act shall not commence until the application is determined complete.

(d)~~(b)~~ If the administrative law judge determines that the application was complete at the time it was *declared incomplete* ~~filed~~, the time schedules referencing a complete application under this act shall commence upon such determination.

(4) If the applicant provides additional information to address the issues identified in the determination of incompleteness, each affected agency may submit to the department, no later than 15 days after the applicant files the additional information, a recommendation on whether the agency believes the application is complete. Within 22 days after receipt of the additional information from the applicant submitted under paragraph (2)(b), paragraph (2)(d), or paragraph (3)(c), the department shall determine whether the additional information supplied by an applicant makes the application complete. If the department finds that the application is still incomplete, the applicant may exercise any of the options specified in subsection (2) as often as is necessary to resolve the dispute.

Section 27. Section 403.50663, Florida Statutes, is created to read:

403.50663 Informational public meetings.—

(1) A local government within whose jurisdiction the power plant is proposed to be sited may hold one informational public meeting in addition to the hearings specifically authorized by this act on any matter associated with the electrical power plant proceeding. Such informational public meetings shall be held by the local government or by the regional planning council if the local government does not hold such meeting within 70 days after the filing of the application. The purpose of an informational public meeting is for the local government or regional planning council to further inform the public about the proposed electrical power plant or associated facilities, obtain comments from the public, and formulate its recommendation with respect to the proposed electrical power plant.

(2) Informational public meetings shall be held solely at the option of each local government or regional planning council if a public meeting is not held by the local government. It is the legislative intent that local governments or regional planning councils attempt to hold such public meetings. Parties to the proceedings under this act shall be encouraged to attend; however, no party other than the applicant and the department shall be required to attend such informational public meetings.

(3) A local government or regional planning council that intends to conduct an informational public meeting must provide notice of the meeting to all parties not less than 5 days prior to the meeting.

(4) The failure to hold an informational public meeting or the procedure used for the informational public meeting are not grounds for the alteration of any time limitation in this act under s. 403.5095 or grounds to deny or condition certification.

Section 28. Section 403.50665, Florida Statutes, is created to read:

403.50665 Land use consistency.—

(1) The applicant shall include in the application a statement on the consistency of the site or any directly associated facilities with existing land use plans and zoning ordinances that were in effect on the date the application was filed and a full description of such consistency.

(2) Within 45 days after the filing of the application, each local government shall file a determination with the department, the applicant, the administrative law judge, and all parties on the consistency of the site or any directly associated facilities with existing land use plans and zoning ordinances that were in effect on the date the application was filed, based on the information provided in the application. The local government may issue its determination up to 35 days later if the local government has requested additional information on land use and zoning consistency as part of the local government's statement on completeness of the application submitted pursuant to s. 403.5066(1)(a). Notice of the consistency determination shall be published in accordance with the requirements of s. 403.5115.

(3) If the local government issues a determination that the proposed electrical power plant is not consistent or in compliance with local land use plans and zoning ordinances, the applicant may apply to the local government for the necessary local approval to address the inconsistencies in the local government's determination. If the applicant makes such an application to the local government, the time schedules under this act shall be tolled until the local government issues its revised determination on land use and zoning or the applicant otherwise withdraws its application to the local government. If the applicant applies to the local government for necessary local land use or zoning approval, the local government shall issue a revised determination within 30 days following the conclusion of that local proceeding, and the time schedules and notice requirements under this act shall apply to such revised determination.

(4) If any substantially affected person wishes to dispute the local government's determination, he or she shall file a petition with the department within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of s. 403.508(1) shall apply.

(5) The dates in this section may be altered upon agreement between the applicant, the local government, and the department pursuant to s. 403.5095.

(6) If it is determined by the local government that the proposed site or directly associated facility does conform with existing land use plans and zoning ordinances in effect as of the date of the application and no petition has been filed, the responsible zoning or planning authority shall not thereafter change such land use plans or zoning ordinances so as to foreclose construction and operation of the proposed site or directly associated facilities unless certification is subsequently denied or withdrawn.

Section 29. *Section 403.5067, Florida Statutes, is repealed.*

Section 30. Section 403.507, Florida Statutes, is amended to read:

403.507 Preliminary statements of issues, reports, *project analyses,* and studies.—

(1) Each affected agency identified in paragraph (2)(a) shall submit a preliminary statement of issues to the department*,* ~~and~~ the applicant*, and all parties* no later than *40* ~~60~~ days after the *certification application has been determined* ~~distribution of the~~ complete ~~application~~. The failure to raise an issue in this statement shall not preclude the issue from being raised in the agency's report.

(2)(a) *No later than 100 days after the certification application has been determined complete,* the following agencies shall prepare reports as provided below and shall submit them to the department and the applicant ~~within 150 days after distribution of the complete application~~:

1. The Department of Community Affairs shall prepare a report containing recommendations which address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable portions of the state comprehensive plan*, emergency management,* and other such matters within its jurisdiction. The Department of Community Affairs may also comment on the consistency of the proposed electrical power plant with applicable strategic regional policy plans or local comprehensive plans and land development regulations.

~~2. The Public Service Commission shall prepare a report as to the present and future need for the electrical generating capacity to be supplied by the proposed electrical power plant. The report shall include the commission's determination pursuant to s. 403.519 and may include the commission's comments with respect to any other matters within its jurisdiction.~~

2.~~3.~~ The water management district shall prepare a report as to matters within its jurisdiction*, including but not limited to, the impact of the proposed electrical power plant on water resources, regional water supply planning, and district-owned lands and works* .

3.~~4.~~ Each local government in whose jurisdiction the proposed electrical power plant is to be located shall prepare a report as to the consistency of the proposed electrical power plant with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed electrical power plant, including ~~adopted local comprehensive plans, land development regulations, and~~ any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means.

4.~~5.~~ The Fish and Wildlife Conservation Commission shall prepare a report as to matters within its jurisdiction.

5.~~6.~~ *Each* ~~The~~ regional planning council shall prepare a report containing recommendations that address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable provisions of the strategic regional policy plan adopted pursuant to chapter 186 and other matters within its jurisdiction.

6. The Department of Transportation shall address the impact of the proposed electrical power plant on matters within its jurisdiction.

(b)~~7.~~ Any other agency, if requested by the department, shall also perform studies or prepare reports as to matters within that agency's jurisdiction which may potentially be affected by the proposed electrical power plant.

~~(b) As needed to verify or supplement the studies made by the applicant in support of the application, it shall be the duty of the department to conduct, or contract for, studies of the proposed electrical power plant and site, including, but not limited to, the following, which shall be completed no later than 210 days after the complete application is filed with the department:~~

~~1. Cooling system requirements.~~

~~2. Construction and operational safeguards.~~

~~3. Proximity to transportation systems.~~

~~4. Soil and foundation conditions.~~

~~5. Impact on suitable present and projected water supplies for this and other competing uses.~~

~~6. Impact on surrounding land uses.~~

~~7. Accessibility to transmission corridors.~~

~~8. Environmental impacts.~~

~~9. Requirements applicable under any federally delegated or approved permit program.~~

(3)~~(c)~~ Each report described in *subsection (2)* ~~paragraphs (a) and (b)~~ shall contain*:*

(a) A notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception ~~all information on variances, exemptions, exceptions~~, or other relief *is necessary in order for the proposed electrical power plant to be certified. Failure of such notification by an agency shall be treated as a waiver from nonprocedural requirements of that agency. However, no variance shall be granted from standards or regulations of the department applicable under any federally delegated or approved permit program, except as expressly allowed in such program.* ~~which may be required by s. 403.511(2) and~~

(b) A recommendation for approval or denial of the application.

(c) Any proposed conditions of certification on matters within the jurisdiction of such agency. For each condition proposed by an agency in its report, the agency shall list the specific statute, rule, or ordinance which authorizes the proposed condition.

(d) The agencies shall initiate the activities required by this section no later than *15* ~~30~~ days after the ~~complete~~ application is distributed. The agencies shall keep the applicant and the department informed as to the progress of the studies and any issues raised thereby.

~~(3) No later than 60 days after the application for a federally required new source review or prevention of significant deterioration permit for the electrical power plant is complete and sufficient, the department shall issue its preliminary determination on such permit. Notice of such determination shall be published as required by the department's rules for notices of such permits. The department shall receive public comments and comments from the United States Environmental Protection Agency and other affected agencies on the preliminary determination as provided for in the federally approved state implementation plan. The department shall maintain a record of all comments received and considered in taking action on such permits. If a petition for an administrative hearing on the department's preliminary determination is filed by a substantially affected person, that hearing shall be consolidated with the certification hearing.~~

(4)(a) No later than 150 days after the application is filed, the Public Service Commission shall prepare a report as to the present and future need for electrical generating capacity to be supplied by the proposed electrical power plant. The report shall include the commission's determination pursuant to s. 403.519 and may include the commission's comments with respect to any other matters within its jurisdiction.

(b) Receipt of an affirmative determination of need by the submittal deadline under paragraph (a) shall be a condition precedent to issuance of the department's project analysis and conduct of the certification hearing.

(5)~~(4)~~ The department shall prepare a *project* ~~written~~ analysis, which shall be filed with the designated administrative law judge and served on all parties no later than *130* ~~240~~ days after the ~~complete~~ application is *determined complete* ~~filed with the department, but no later than 60 days prior to the hearing~~, and which shall include:

(a) A statement indicating whether the proposed electrical power plant and proposed ultimate site capacity will be in compliance *and consistent with matters within the department's standard jurisdiction, including* ~~with~~ the rules of the department*, as well as whether the proposed electrical power plant and proposed ultimate site capacity will be in compliance with the nonprocedural requirements of the affected agencies*.

(b) Copies of the studies and reports required by this section ~~and s. 403.519~~.

(c) The comments received by the department from any other agency or person.

(d) The recommendation of the department as to the disposition of the application, of variances, exemptions, exceptions, or other relief identified by any party, and of any proposed conditions of certification which the department believes should be imposed.

(e) *If available,* the recommendation of the department regarding the issuance of any license required pursuant to a federally delegated or approved permit program.

~~(f) Copies of the department's draft of the operation permit for a major source of air pollution, which must also be provided to the United States Environmental Protection Agency for review within 5 days after issuance of the written analysis.~~

(6)~~(5)~~ Except when good cause is shown, the failure of any agency to submit a preliminary statement of issues or a report, or to submit its preliminary statement of issues or report within the allowed time, shall not be grounds for the alteration of any time limitation in this act. Neither the failure to submit a preliminary statement of issues or a report nor the inadequacy of the preliminary statement of issues or report *are* ~~shall be~~ grounds to deny or condition certification.

Section 31. Section 403.508, Florida Statutes, is amended to read:

403.508 Land use and certification *hearings* ~~proceedings~~, parties, participants.—

(1)*(a) If a petition for a hearing on land use has been filed pursuant to s. 403.50665,* the designated administrative law judge shall conduct a land use hearing in the county of the proposed site *or directly associated facility, as applicable, as expeditiously as possible, but not later than 30* ~~within 90~~ days after *the department's* receipt of *the petition* ~~a complete application for electrical power plant site certification by the department~~. The place of such hearing shall be as close as possible to the proposed site *or directly associated facility. If a petition is filed, the hearing shall be held regardless of the status of the completeness of the application. However, incompleteness of information necessary for a local government to evaluate an application may be claimed by the local government as cause for a statement of inconsistency with existing land use plans and zoning ordinances under s. 403.50665.*

(b) Notice of the land use hearing shall be published in accordance with the requirements of s. 403.5115.

(c)~~(2)~~ The sole issue for determination at the land use hearing shall be whether or not the proposed site is consistent and in compliance with existing land use plans and zoning ordinances. *If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order any changes to or approvals or variances under, the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances.*

(d) The designated administrative law judge's recommended order shall be issued within 30 days after completion of the hearing and shall be reviewed by the board within *60* ~~45~~ days after receipt of the recommended order by the board.

(e) If it is determined by the board that the proposed site does conform with existing land use plans and zoning ordinances in effect as of the date of the application, *or as otherwise provided by this act,* the responsible zoning or planning authority shall not thereafter change such land use plans or zoning ordinances so as to *foreclose construction and operation of* ~~affect~~ the proposed *electrical power plant on the proposed* site *or directly associated facilities* unless certification is subsequently denied or withdrawn.

(f) If it is determined by the board that the proposed site does not conform *with existing land use plans and zoning ordinances*, ~~it shall be the responsibility of the applicant to make the necessary application for rezoning. Should the application for rezoning be denied, the applicant may appeal this decision to~~ the board~~, which~~ may, if it determines after notice and hearing *and upon consideration of the recommended order on land use and zoning issues* that it is in the public interest to authorize the use of the land as a site for an electrical power plant, authorize a variance *or other necessary approval* to the adopted land use plan and zoning ordinances *required to render the proposed site consistent with local land use plans and zoning ordinances. The board's action shall not be controlled by any other procedural requirements of law*. In the event a variance *or other approval* is denied *by the board*, *it shall be the responsibility of the applicant to make the necessary application for any approvals determined by the board as required to make the proposed site consistent and in compliance with local land use plans and zoning ordinances.* No further action may be taken on the complete application ~~by the department~~ until the proposed site conforms to the adopted land use plan or zoning ordinances *or the board grants relief as provided under this act*.

(2)(a)~~(3)~~ A certification hearing shall be held by the designated administrative law judge no later than *265* ~~300~~ days after the ~~complete~~ application is filed with the department~~; however, an affirmative determination of need by the Public Service Commission pursuant to s. 403.519 shall be a condition precedent to the conduct of the certification hearing~~. The certification hearing shall be held at a location in proximity to the proposed site. ~~The certification hearing shall also constitute the sole hearing allowed by chapter 120 to determine the substantial interest of a party regarding any required agency license or any related permit required pursuant to any federally delegated or approved permit program.~~ At the conclusion of the certification hearing, the designated administrative law judge shall, after consideration of all evidence of record, submit to the board a recommended order no later than *45* ~~60~~ days after the filing of the hearing transcript. ~~In the event the administrative law judge fails to issue a recommended order within 60 days after the filing of the hearing transcript, the administrative law judge shall submit a report to the board with a copy to all parties within 60 days after the filing of the hearing transcript to advise the board of the reason for the delay in the issuance of the recommended order and of the date by which the recommended order will be issued.~~

(b) Notice of the certification hearing and notice of the deadline for filing of notice of intent to be a party shall be made in accordance with the requirements of s. 403.5115.

(3)(a)~~(4)(a)~~ Parties to the proceeding shall include:

1. The applicant.

2. The Public Service Commission.

3. The Department of Community Affairs.

4. The Fish and Wildlife Conservation Commission.

5. The water management district.

6. The department.

7. The regional planning council.

8. The local government.

9. The Department of Transportation.

(b) Any party listed in paragraph (a) other than the department or the applicant may waive its right to participate in these proceedings. If such listed party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing, such party shall be deemed to have waived its right to be a party.

(c) *Notwithstanding the provisions of chapter 120,* upon the filing with the administrative law judge of a notice of intent to be a party *no later than 75 days after the application is filed* ~~at least 15 days prior to the date of the land use hearing~~, the following shall also be parties to the proceeding:

1. Any agency not listed in paragraph (a) as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.

(d) Notwithstanding paragraph (e), failure of an agency described in subparagraph (c)1. to file a notice of intent to be a party within the time provided herein shall constitute a waiver of the right of that agency to participate as a party in the proceeding.

(e) Other parties may include any person, including those persons enumerated in paragraph (c) who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to chapter 120 and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing.

(f) Any agency, including those whose properties or works are being affected pursuant to s. 403.509(4), shall be made a party upon the request of the department or the applicant.

(4)(a) The order of presentation at the certification hearing, unless otherwise changed by the administrative law judge to ensure the orderly presentation of witnesses and evidence, shall be:

1. The applicant.

2. The department.

3. State agencies.

4. Regional agencies, including regional planning councils and water management districts.

5. Local governments.

6. Other parties.

(b)~~(5)~~ When appropriate, any person may be given an opportunity to present oral or written communications to the designated administrative law judge. If the designated administrative law judge proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

(5) At the conclusion of the certification hearing, the designated administrative law judge shall, after consideration of all evidence of record, submit to the board a recommended order no later than 45 days after the filing of the hearing transcript.

(6)(a) No earlier than 29 days prior to the conduct of the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, and if sufficient time remains for the applicant and the department to publish public notices of the cancellation of the hearing at least 3 days prior to the scheduled date of the hearing.

(b) The administrative law judge shall issue an order granting or denying the request within 5 days after receipt of the request.

(c) If the administrative law judge grants the request, the department and the applicant shall publish notices of the cancellation of the certification hearing, in accordance with s. 403.5115.

(d)1. If the administrative law judge grants the request, the department shall prepare and issue a final order in accordance with s. 403.509(1)(a).

2. Parties may submit proposed recommended orders to the department no later than 10 days after the administrative law judge issues an order relinquishing jurisdiction.

(7) The applicant shall pay those expenses and costs associated with the conduct of the hearings and the recording and transcription of the proceedings.

~~(6) The designated administrative law judge shall have all powers and duties granted to administrative law judges by chapter 120 and this chapter and by the rules of the department and the Administration Commission, including the authority to resolve disputes over the completeness and sufficiency of an application for certification.~~

~~(7) The order of presentation at the certification hearing, unless otherwise changed by the administrative law judge to ensure the orderly presentation of witnesses and evidence, shall be:~~

~~(a) The applicant.~~

~~(b) The department.~~

~~(c) State agencies.~~

~~(d) Regional agencies, including regional planning councils and water management districts.~~

~~(e) Local governments.~~

~~(f) Other parties.~~

(8) In issuing permits under the federally approved new source review or prevention of significant deterioration permit program, the department shall observe the procedures specified under the federally approved state implementation plan, including public notice, public comment, public hearing, and notice of applications and amendments to federal, state, and local agencies, to assure that all such permits issued in coordination with the certification of a power plant under this act are federally enforceable and are issued after opportunity for informed public participation regarding the terms and conditions thereof. *When possible, any hearing on a federally approved or delegated program permit such as new source review, prevention of significant deterioration permit, or NPDES permit shall be conducted in conjunction with the certification hearing held under this act.* ~~The department shall accept written comment with respect to an application for, or the department's preliminary determination on, a new source review or prevention of significant deterioration permit for a period of no less than 30 days from the date notice of such action is published. Upon request submitted within 30 days after published notice, the department shall hold a public meeting, in the area affected, for the purpose of receiving public comment on issues related to the new source review or prevention of significant deterioration permit. If requested following notice of the department's preliminary determination, the public meeting to receive public comment shall be held prior to the scheduled certification hearing. The department shall also solicit comments from the United States Environmental Protection Agency and other affected federal agencies regarding the department's preliminary determination for any federally required new source review or prevention of significant deterioration permit.~~ It is the intent of the Legislature that the *review, processing, and* issuance of such *federally delegated or approved* permits be closely coordinated with the certification process established under this part. In the event of a conflict between the certification process and federally required procedures ~~contained in the state implementation plan,~~ the applicable *federal* requirements ~~of the implementation plan~~ shall control.

Section 32. Section 403.509, Florida Statutes, is amended to read:

403.509 Final disposition of application.—

(1)*(a) If the administrative law judge has granted a request to cancel the certification hearing and has relinquished jurisdiction to the department under the provisions of s. 403.508(6), within 40 days thereafter, the secretary of the department shall act upon the application by written order in accordance with the terms of this act and the stipulation of the parties in requesting cancellation of the certification hearing.*

(b) If the administrative law judge has not granted a request to cancel the certification hearing under the provisions of s. 403.508(6), within 60 days after receipt of the designated administrative law judge's recommended order, the board shall act upon the application by written order, approving ~~certification~~ or denying *certification* ~~the issuance of a certificate~~, in accordance with the terms of this act, and stating the reasons for issuance or denial. If *certification* ~~the certificate~~ is denied, the board shall set forth in writing the action the applicant would have to take to secure the board's approval of the application.

(2) The issues that may be raised in any hearing before the board shall be limited to those matters raised in the certification proceeding before the administrative law judge or raised in the recommended order. All parties, or their representatives, or persons who appear before the board shall be subject to the provisions of s. 120.66.

(3) In determining whether an application should be approved in whole, approved with modifications or conditions, or denied, the board, or secretary when applicable, shall consider whether, and the extent to which, the location of the electrical power plant and directly associated facilities and their construction and operation will:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection.

(b) Comply with applicable nonprocedural requirements of agencies.

(c) Be consistent with applicable local government comprehensive plans and land development regulations.

(d) Meet the electrical energy needs of the state in an orderly and timely fashion.

(e) Effect a reasonable balance between the need for the facility as established pursuant to s. 403.519, and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility.

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and its wildlife and the ecology of state waters and their aquatic life.

(g) Serve and protect the broad interests of the public.

~~(3) Within 30 days after issuance of the certification, the department shall issue and forward to the United States Environmental Protection Agency a proposed operation permit for a major source of air pollution and must issue or deny any other license required pursuant to any federally delegated or approved permit program. The department's action on the license and its action on the proposed operation permit for a major source of air pollution shall be based upon the record and recommended order of the certification hearing. The department's actions on a federally required new source review or prevention of significant deterioration permit shall be based on the record and recommended order of the certification hearing and of any other proceeding held in connection with the application for a new source review or prevention of significant deterioration permit, on timely public comments received with respect to the application or preliminary determination for such permit, and on the provisions of the state implementation plan.~~

(4) The department's action on a federally required new source review or prevention of significant deterioration permit shall differ from the actions taken by the siting board regarding the certification if the federally approved state implementation plan requires such a different action to be taken by the department. Nothing in this part shall be construed to displace the department's authority as the final permitting entity under the federally approved permit program. Nothing in this part shall be construed to authorize the issuance of a new source review or prevention of significant deterioration permit which does not conform to the requirements of the federally approved state implementation plan. ~~Any final operation permit for a major source of air pollution must be issued in accordance with the provisions of s. 403.0872. Unless the federally delegated or approved permit program provides otherwise, licenses issued by the department under this subsection shall be effective for the term of the certification issued by the board. If renewal of any license issued by the department pursuant to a federally delegated or approved permit program is required, such renewal shall not affect the certification issued by the board, except as necessary to resolve inconsistencies pursuant to s. 403.516(1)(a).~~

(5)~~(4)~~ In regard to the properties and works of any agency which is a party to the certification hearing, the board shall have the authority to decide issues relating to the use, the connection thereto, or the crossing thereof, for the electrical power plant and *directly associated facilities* ~~site~~ and to direct any such agency to execute, within 30 days after the entry of certification, the necessary license or easement for such use, connection, or crossing, subject only to the conditions set forth in such certification.

(6)~~(5) Except for the issuance of any operation permit for a major source of air pollution pursuant to s. 403.0872,~~ The issuance or denial of the certification by the board *or secretary of the department* ~~and the issuance or denial of any related department license required pursuant to any federally delegated or approved permit program~~ shall be the final administrative action required as to that application.

~~(6) All certified electrical power plants must apply for and obtain a major source air-operation permit pursuant to s. 403.0872. Major source air-operation permit applications for certified electrical power plants must be submitted pursuant to a schedule developed by the department. To the extent that any conflicting provision, limitation, or restriction under any rule, regulation, or ordinance imposed by any political subdivision of the state, or by any local pollution control program, was superseded during the certification process pursuant to s. 403.510(1), such rule, regulation, or ordinance shall continue to be superseded for purposes of the major source air-operation permit program under s. 403.0872.~~

Section 33. Section 403.511, Florida Statutes, is amended to read:

403.511 Effect of certification.—

(1) Subject to the conditions set forth therein, any certification ~~signed by the Governor~~ shall constitute the sole license of the state and any agency as to the approval of the site and the construction and operation of the proposed electrical power plant, except for the issuance of department licenses required under any federally delegated or approved permit program and except as otherwise provided in subsection (4).

(2)(a) The certification shall authorize the *licensee* ~~applicant~~ named therein to construct and operate the proposed electrical power plant, subject only to the conditions of certification set forth in such certification, and except for the issuance of department licenses or permits required under any federally delegated or approved permit program.

(b)*1.* Except as provided in subsection (4), the certification may include conditions which constitute variances, exemptions, or exceptions from nonprocedural requirements of the department or any agency which were expressly considered during the proceeding*, including, but not limited to, any site specific criteria, standards, or limitations under local land use and zoning approvals which affect the proposed electrical power plant or its site,* unless waived by the agency ~~as provided below~~ and which otherwise would be applicable to the construction and operation of the proposed electrical power plant.

2. No variance, exemption, exception, or other relief shall be granted from a state statute or rule for the protection of endangered or threatened species, aquatic preserves, Outstanding National Resource Waters, or Outstanding Florida Waters or for the disposal of hazardous waste, except to the extent authorized by the applicable statute or rule or except upon a finding *in the certification order* ~~by the siting board~~ that the public interests set forth in s. *403.509(3)* ~~403.502~~ in certifying the electrical power plant at the site proposed by the applicant overrides the public interest protected by the statute or rule from which relief is sought. ~~Each party shall notify the applicant and other parties at least 60 days prior to the certification hearing of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the board to certify any electrical power plant proposed for certification. Failure of such notification by an agency shall be treated as a waiver from nonprocedural requirements of the department or any other agency. However, no variance shall be granted from standards or regulations of the department applicable under any federally delegated or approved permit program, except as expressly allowed in such program.~~

(3) The certification *and any order on land use and zoning issued under this act* shall be in lieu of any license, permit, certificate, or similar document required by any *state, regional, or local* agency pursuant to, but not limited to, chapter 125, chapter 161, chapter 163, chapter 166, chapter 186, chapter 253, chapter 298, chapter 370, chapter 373, chapter 376, chapter 380, chapter 381, chapter 387, chapter 403, except for permits issued pursuant to *any federally delegated or approved permit program* ~~s. 403.0885~~ and except as provided in ~~s. 403.509(3) and (6),~~ chapter 404~~,~~ *or* the Florida Transportation Code, or 33 U.S.C. s. 1341.

(4) This act shall not affect in any way the ratemaking powers of the Public Service Commission under chapter 366; nor shall this act in any way affect the right of any local government to charge appropriate fees or require that construction be in compliance with applicable building construction codes.

(5)(a) An electrical power plant certified pursuant to this act shall comply with rules adopted by the department subsequent to the issuance of the certification which prescribe new or stricter criteria, to the extent that the rules are applicable to electrical power plants. Except when express variances, exceptions, exemptions, or other relief have been granted, subsequently adopted rules which prescribe new or stricter criteria shall operate as automatic modifications to certifications.

(b) Upon written notification to the department, any holder of a certification issued pursuant to this act may choose to operate the certified electrical power plant in compliance with any rule subsequently adopted by the department which prescribes criteria more lenient than the criteria required by the terms and conditions in the certification which are not site-specific.

(c) No term or condition of certification shall be interpreted to preclude the postcertification exercise by any party of whatever procedural rights it may have under chapter 120, including those related to rulemaking proceedings. This subsection shall apply to previously issued certifications.

(6) No term or condition of a site certification shall be interpreted to supersede or control the provisions of a final operation permit for a major source of air pollution issued by the department pursuant to s. 403.0872 to *a* ~~such~~ facility certified under this part.

(7) Pursuant to s. 380.23, electrical power plants are subject to the federal coastal consistency review program. Issuance of certification shall constitute the state's certification of coastal zone consistency.

Section 34. Section 403.5112, Florida Statutes, is created to read:

403.5112 Filing of notice of certified corridor route.—

(1) Within 60 days after certification of a directly associated linear facility pursuant to this act, the applicant shall file, in accordance with s. 28.222, with the department and the clerk of the circuit court for each county through which the corridor will pass, a notice of the certified route.

(2) The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and shall state that the certification of the corridor will result in the acquisition of rights-of-way within the corridor. Each clerk shall record the filing in the official record of the county for the duration of the certification or until such time as the applicant certifies to the department and the clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county, whichever is sooner.

Section 35. Section 403.5113, Florida Statutes, is created to read:

403.5113 Postcertification amendments.—

(1) If, subsequent to certification by the board, a licensee proposes any material change to the application and revisions or amendments thereto, as certified, the licensee shall submit a written request for amendment and a description of the proposed change to the application to the department. Within 30 days after the receipt of the request for the amendment, the department shall determine whether the proposed change to the application requires a modification of the conditions of certification.

(2) If the department concludes that the change would not require a modification of the conditions of certification, the department shall provide written notification of the approval of the proposed amendment to the licensee, all agencies, and all other parties.

(3) If the department concludes that the change would require a modification of the conditions of certification, the department shall provide written notification to the licensee that the proposed change to the application requires a request for modification pursuant to s. 403.516.

(4) Postcertification submittals filed by the licensee with one or more agencies are for the purpose of monitoring for compliance with the issued certification and must be reviewed by the agencies on an expedited and priority basis because each facility certified under this act is a critical infrastructure facility. In no event shall a postcertification review be completed in more than 90 days after complete information is submitted to the reviewing agencies.

Section 36. Section 403.5115, Florida Statutes, is amended to read:

403.5115 *Public* notice~~; costs of proceeding~~.—

(1) The following notices are to be published by the applicant:

(a) *Notice* ~~A notice~~ of the filing of a notice of intent under s. 403.5063, which shall be published within 21 days after the filing of the notice. The notice shall be published as specified by subsection (2), except that the newspaper notice shall be one-fourth page in size in a standard size newspaper or one-half page in size in a tabloid size newspaper.

(b) *Notice* ~~A notice~~ of filing of the application, which shall *include a description of the proceedings required by this act, within 21 days after the date of the application filing* ~~be published as specified in subsection (2), within 15 days after the application has been determined complete~~. Such notice shall give notice of the provisions of s. 403.511(1) and (2) ~~and that the application constitutes a request for a federally required new source review or prevention of significant deterioration permit~~.

(c) *Notice of the land use determination made pursuant to s. 403.50665(1) within 21 days after the determination is filed.*

(d) Notice of the land use hearing, which shall be published as specified in subsection (2), no later than *15* ~~45~~ days before the hearing.

(e)~~(d)~~ Notice of the certification hearing *and notice of the deadline for filing notice of intent to be a party*, which shall be published as specified in subsection (2), *at least 65 days before the date set for the certification* ~~no later than 45 days before the~~ hearing.

(f) Notice of the cancellation of the certification hearing, if applicable, no later than 3 days before the date of the originally scheduled certification hearing.

(g)~~(e)~~ Notice of modification when required by the department, based on whether the requested modification of certification will significantly increase impacts to the environment or the public. Such notice shall be published as specified under subsection (2):

1. Within 21 days after receipt of a request for modification.~~, except that~~ The newspaper notice shall be of a size as directed by the department commensurate with the scope of the modification.

2. If a hearing is to be conducted in response to the request for modification, then notice shall be *published no later than 30 days before the hearing* ~~provided as specified in paragraph (d)~~.

(h)~~(f)~~ Notice of a supplemental application, which shall be published as *specified in paragraph (b) and subsection (2).*~~follows:~~

~~1. Notice of receipt of the supplemental application shall be published as specified in paragraph (b).~~

~~2. Notice of the certification hearing shall be published as specified in paragraph (d).~~

(i) Notice of existing site certification pursuant to s. 403.5175. Notices shall be published as specified in paragraph (b) and subsection (2).

(2) Notices provided by the applicant shall be published in newspapers of general circulation within the county or counties in which the proposed electrical power plant will be located. The newspaper notices shall be at least one-half page in size in a standard size newspaper or a full page in a tabloid size newspaper ~~and published in a section of the newspaper other than the legal notices section~~. These notices shall include a map generally depicting the project and all associated facilities corridors. A newspaper of general circulation shall be the newspaper which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notices shall appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

(3) All notices published by the applicant shall be paid for by the applicant and shall be in addition to the application fee.

(4) The department shall *arrange for publication of the following notices in the manner specified by chapter 120 and provide copies of those notices to any persons who have requested to be placed on the departmental mailing list for this purpose*:

(a) *Notice* ~~Publish in the Florida Administrative Weekly notices~~ of the filing of the notice of intent *within 15 days after receipt of the notice.*~~;~~

(b) Notice of the filing of the application *, no later than 21 days after the application filing.*~~;~~

(c) Notice of the land use determination made pursuant to s. 403.50665(1) within 21 days after the determination is filed.

(d) Notice of the land use hearing *before the administrative law judge, if applicable, no later than 15 days before the hearing.*~~;~~

(e) Notice of the land use hearing before the board, if applicable.

(f) Notice of the certification hearing *at least 45 days before the date set for the certification hearing.*~~;~~

(g) Notice of the cancellation of the certification hearing, if applicable, no later than 3 days prior to the date of the originally scheduled certification hearing.

(h) Notice of the hearing before the board *, if applicable.*~~;~~

(i) Notice ~~and~~ of stipulations, proposed agency action, or petitions for modification.~~; and~~

~~(b) Provide copies of those notices to any persons who have requested to be placed on the departmental mailing list for this purpose.~~

~~(5) The applicant shall pay those expenses and costs associated with the conduct of the hearings and the recording and transcription of the proceedings.~~

Section 37. Section 403.513, Florida Statutes, is amended to read:

403.513 Review.—Proceedings under this act shall be subject to judicial review as provided in chapter 120. *When possible,* separate appeals of the certification order issued by the board and of any department permit issued pursuant to a federally delegated or approved permit program *may* ~~shall~~ be consolidated for purposes of judicial review.

Section 38. Section 403.516, Florida Statutes, is amended to read:

403.516 Modification of certification.—

(1) A certification may be modified after issuance in any one of the following ways:

(a) The board may delegate to the department the authority to modify specific conditions in the certification.

(b)1. The department may modify specific conditions of a site certification which are inconsistent with the terms of any *federally delegated or approved* ~~final air pollution operation~~ permit for the certified electrical power plant ~~issued by the United States Environmental Protection Agency under the terms of 42 U.S.C. s. 7661d~~.

2. Such modification may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program.

(c) The licensee may file a petition for modification with the department, or the department may initiate the modification upon its own initiative.

1. A petition for modification must set forth:

a. The proposed modification.

b. The factual reasons asserted for the modification.

c. The anticipated environmental effects of the proposed modification.

2.~~(b)~~ The department may modify the terms and conditions of the certification if no party to the certification hearing objects in writing to such modification within 45 days after notice by mail to such party's last address of record, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days after issuance of public notice.

3. If objections are raised *or the department denies the request*, the applicant *or department* may file a *request* ~~petition~~ for *a hearing on the* modification *with the department. Such request shall be handled* pursuant to *chapter 120* ~~paragraph (c)~~.

~~(c) A petition for modification may be filed by the applicant or the department setting forth:~~

~~1. The proposed modification,~~

~~2. The factual reasons asserted for the modification, and~~

~~3. The anticipated effects of the proposed modification on the applicant, the public, and the environment.~~

~~The petition for modification shall be filed with the department and the Division of Administrative Hearings.~~

4. Requests referred to the Division of Administrative Hearings shall be disposed of in the same manner as an application, but with time periods established by the administrative law judge commensurate with the significance of the modification requested.

(d) As required by s. 403.511(5).

~~(2) Petitions filed pursuant to paragraph (1)(c) shall be disposed of in the same manner as an application, but with time periods established by the administrative law judge commensurate with the significance of the modification requested.~~

(2)~~(3)~~ Any agreement or modification under this section must be in accordance with the terms of this act. No modification to a certification shall be granted that constitutes a variance from standards or regulations of the department applicable under any federally delegated or approved permit program, except as expressly allowed in such program.

Section 39. Section 403.517, Florida Statutes, is amended to read:

403.517 Supplemental applications for sites certified for ultimate site capacity.—

(1)(a) *Supplemental* ~~The department shall adopt rules governing the processing of supplemental~~ applications *may be submitted* for certification of the construction and operation of electrical power plants to be located at sites which have been previously certified for an ultimate site capacity pursuant to this act. Supplemental applications shall be limited to electrical power plants using the fuel type previously certified for that site. *Such applications shall include all new directly associated facilities that support the construction and operation of the electrical power plant.* ~~The rules adopted pursuant to this section shall include provisions for:~~

~~1. Prompt appointment of a designated administrative law judge.~~

~~2. The contents of the supplemental application.~~

~~3. Resolution of disputes as to the completeness and sufficiency of supplemental applications by the designated administrative law judge.~~

~~4. Public notice of the filing of the supplemental applications.~~

~~5. Time limits for prompt processing of supplemental applications.~~

~~6. Final disposition by the board within 215 days of the filing of a complete supplemental application.~~

(b) *The review shall use the same procedural steps and notices as for an initial application.*

(c) The time limits *for the processing of a complete supplemental application shall be designated by the department commensurate with the scope of the supplemental application, but* shall not exceed any time limitation governing the review of initial applications for site certification pursuant to this act, it being the legislative intent to provide shorter time limitations for the processing of supplemental applications for electrical power plants to be constructed and operated at sites which have been previously certified for an ultimate site capacity.

(d)~~(c)~~ Any time limitation in this section or in rules adopted pursuant to this section may be altered *pursuant to s. 403.5095* ~~by the designated administrative law judge upon stipulation between the department and the applicant, unless objected to by any party within 5 days after notice, or for good cause shown by any party. The parties to the proceeding shall adhere to the provisions of chapter 120 and this act in considering and processing such supplemental applications~~.

(2) ~~Supplemental applications shall be reviewed as provided in ss. 403.507-403.511, except that the time limits provided in this section shall apply to such supplemental applications.~~

~~(3)~~ The land use *and zoning consistency determination of s. 403.50665* ~~hearing requirements of s. 403.508(1) and (2)~~ shall not be applicable to the processing of supplemental applications pursuant to this section so long as:

(a) The previously certified ultimate site capacity is not exceeded; and

(b) The lands required for the construction or operation of the electrical power plant which is the subject of the supplemental application are within the boundaries of the previously certified site.

~~(4) For the purposes of this act, the term "ultimate site capacity" means the maximum generating capacity for a site as certified by the board.~~

Section 40. Section 403.5175, Florida Statutes, is amended to read:

403.5175 Existing electrical power plant site certification.—

(1) An electric utility that owns or operates an existing electrical power plant as defined in s. 403.503(12) may apply for certification of an existing power plant and its site in order to obtain all agency licenses necessary to *ensure* ~~assure~~ compliance with federal or state environmental laws and regulation using the centrally coordinated, one-stop licensing process established by this part. An application for site certification under this section must be in the form prescribed by department rule. Applications must be reviewed and processed *using the same procedural steps and notices as for an application for a new facility* ~~in accordance with ss. 403.5064-403.5115~~, except that a determination of need by the Public Service Commission is not required.

(2) An application for certification under this section must include:

(a) A description of the site and existing power plant installations;

(b) A description of all proposed changes or alterations to the site or electrical power plant, including all new associated facilities that are the subject of the application;

(c) A description of the environmental and other impacts caused by the existing utilization of the site *and directly associated facilities,* and *the* operation of the electrical power plant that is the subject of the application, and of the environmental and other benefits, if any, to be realized as a result of the proposed changes or alterations if certification is approved and such other information as is necessary for the reviewing agencies to evaluate the proposed changes and the expected impacts;

(d) The justification for the proposed changes or alterations;

(e) Copies of all existing permits, licenses, and compliance plans authorizing utilization of the site *and directly associated facilities* or operation of the electrical power plant that is the subject of the application.

(3) The land use *and zoning determination* ~~hearing~~ requirements of *s. 403.50665* ~~s. 403.508(1) and (2)~~ do not apply to an application under this section if the applicant does not propose to expand the boundaries of the existing site. If the applicant proposes to expand the boundaries of the existing site to accommodate portions of the plant or associated facilities, a land use *and zoning determination shall be made* ~~hearing must be held~~ as specified in *s. 403.50665* ~~s. 403.508(1) and (2)~~; provided, however, that the sole issue for determination ~~through the land use hearing~~ is whether the proposed site expansion is consistent and in compliance with the existing land use plans and zoning ordinances.

(4) In considering whether an application submitted under this section should be approved in whole, approved with appropriate conditions, or denied, the board shall consider whether, and to the extent to which the proposed changes to the electrical power plant and its continued operation under certification will:

(a) Comply with *the provisions of s. 403.509(3).* ~~applicable non-procedural requirements of agencies;~~

(b) Result in environmental or other benefits compared to current utilization of the site and operations of the electrical power plant if the proposed changes or alterations are undertaken.~~;~~

~~(c) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and its wildlife and the ecology of state waters and their aquatic life; and~~

~~(d) Serve and protect the broad interests of the public.~~

(5) An applicant's failure to receive approval for certification of an existing site or an electrical power plant under this section is without prejudice to continued operation of the electrical power plant or site under existing agency licenses.

Section 41. Section 403.518, Florida Statutes, is amended to read:

403.518 Fees; disposition.—

~~(1)~~ The department shall charge the applicant the following fees, as appropriate, which*, unless otherwise specified,* shall be paid into the Florida Permit Fee Trust Fund:

(1)~~(a)~~ A fee for a notice of intent pursuant to s. 403.5063, in the amount of $2,500, to be submitted to the department at the time of filing of a notice of intent. The notice-of-intent fee shall be used and disbursed in the same manner as the application fee.

(2)~~(b)~~ An application fee, which shall not exceed $200,000. The fee shall be fixed by rule on a sliding scale related to the size, type, ultimate site capacity, *or* increase in *electrical* generating capacity proposed by the application~~, or the number and size of local governments in whose jurisdiction the electrical power plant is located~~.

(a)~~1.~~ Sixty percent of the fee shall go to the department to cover any costs associated with *coordinating the review* ~~reviewing~~ and acting upon the application, to cover any field services associated with monitoring construction and operation of the facility, and to cover the costs of the public notices published by the department.

(b)~~2.~~ *The following percentages* ~~Twenty percent of the fee or $25,000, whichever is greater,~~ shall be transferred to the Administrative Trust Fund of the Division of Administrative Hearings of the Department of Management Services:~~.~~

1. Five percent to compensate expenses from the initial exercise of duties associated with the filing of an application.

2. An additional 5 percent if a land use hearing is held pursuant to s. 403.508.

3. An additional 10 percent if a certification hearing is held pursuant to s. 403.508.

(c)1.~~3.~~ Upon written request with proper itemized accounting within 90 days after final agency action by the board or withdrawal of the application, *the agencies that prepared reports pursuant to s. 403.507 or participated in a hearing pursuant to s. 403.508 may submit a written request to the department for reimbursement of expenses incurred during the certification proceedings. The request shall contain an accounting of expenses incurred which may include time spent reviewing the application,* ~~the department shall reimburse the Department of Community Affairs, the Fish and Wildlife Conservation Commission, and any water management district created pursuant to chapter 373, regional planning council, and local government in the jurisdiction of which the proposed electrical power plant is to be located, and any other agency from which the department requests special studies pursuant to s. 403.507(2)(a)7. Such reimbursement shall be authorized for the~~ preparation of any studies required of the agencies by this act, ~~and for~~ agency travel and per diem to attend any hearing held pursuant to this act, and for *any agency or* local *government's provision of notice of public meetings or hearings required as a result of the application for certification* ~~governments to participate in the proceedings~~. *The department shall review the request and verify that the expenses are valid. Valid expenses shall be reimbursed; however,* in the event the amount *of funds* available for *reimbursement* ~~allocation~~ is insufficient to provide for *full compensation* ~~complete reimbursement~~ to the agencies *requesting reimbursement*, reimbursement shall be on a prorated basis.

2. If the application review is held in abeyance for more than 1 year, the agencies may submit a request for reimbursement.

(d)~~4.~~ If any sums are remaining, the department shall retain them for its use in the same manner as is otherwise authorized by this act; provided, however, that if the certification application is withdrawn, the remaining sums shall be refunded to the applicant within 90 days after withdrawal.

(3)(a)~~(c)~~ A certification modification fee, which shall not exceed $30,000. *The department shall establish rules for determining such a fee based on the equipment redesign, change in site size, type, increase in generating capacity proposed, or change in an associated linear facility location.*

(b) The fee shall be submitted to the department with a ~~formal~~ petition for modification ~~to the department~~ pursuant to s. 403.516. This fee shall be established, disbursed, and processed in the same manner as the application fee in *subsection (2)* ~~paragraph (b)~~, except that the Division of Administrative Hearings shall not receive a portion of the fee unless the petition for certification modification is referred to the Division of Administrative Hearings for hearing. If the petition is so referred, only $10,000 of the fee shall be transferred to the Administrative Trust

Fund of the Division of Administrative Hearings of the Department of Management Services. ~~The fee for a modification by agreement filed pursuant to s. 403.516(1)(b) shall be $10,000 to be paid upon the filing of the request for modification. Any sums remaining after payment of authorized costs shall be refunded to the applicant within 90 days of issuance or denial of the modification or withdrawal of the request for modification.~~

(4)~~(d)~~ A supplemental application fee, not to exceed $75,000, to cover all reasonable expenses and costs of the review, processing, and proceedings of a supplemental application. This fee shall be established, disbursed, and processed in the same manner as the certification application fee in *subsection (2)* ~~paragraph (b), except that only $20,000 of the fee shall be transferred to the Administrative Trust Fund of the Division of Administrative Hearings of the Department of Management Services~~.

(5)~~(e)~~ An existing site certification application fee, not to exceed $200,000, to cover all reasonable costs and expenses of the review processing and proceedings for certification of an existing power plant site under s. 403.5175. This fee must be established, disbursed, and processed in the same manner as the certification application fee in *subsection (2)* ~~paragraph (b)~~.

~~(2) Effective upon the date commercial operation begins, the operator of an electrical power plant certified under this part is required to pay to the department an annual operation license fee as specified in s. 403.0872(11) to be deposited in the Air Pollution Control Trust Fund.~~

Section 42. *Any application for electrical power plant certification filed pursuant to ss. 403.501-403.518, Florida Statutes, shall be processed under the provisions of the law applicable at the time the application was filed, except that the provisions relating to cancellation of the certification hearing under s. 403.508(6), Florida Statutes, the provisions relating to the final disposition of the application and issuance of the written order by the secretary under s. 403.509(1)(a), Florida Statutes, and notice of the cancellation of the certification hearing under s. 403.5115, Florida Statutes, may apply to any application for electrical power plant certification.*

Section 43. Section 403.519, Florida Statutes, is amended to read:

403.519 Exclusive forum for determination of need.—

(1) On request by an applicant or on its own motion, the commission shall begin a proceeding to determine the need for an electrical power plant subject to the Florida Electrical Power Plant Siting Act.

(2) The *applicant* ~~commission~~ shall publish a notice of the proceeding in a newspaper of general circulation in each county in which the proposed electrical power plant will be located. The notice shall be at least one-quarter of a page and published at least *21* ~~45~~ days prior to the scheduled date for the proceeding. *The commission shall publish notice of the proceeding in the manner specified by chapter 120 at least 21 days prior to the scheduled date for the proceeding.*

(3) The commission shall be the sole forum for the determination of this matter, which accordingly shall not be raised in any other forum or in the review of proceedings in such other forum. In making its determination, the commission shall take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, *the need for fuel diversity and supply reliability,* and whether the proposed plant is the most cost-effective alternative available. The commission shall also expressly consider the conservation measures taken by or reasonably available to the applicant or its members which might mitigate the need for the proposed plant and other matters within its jurisdiction which it deems relevant. The commission's determination of need for an electrical power plant shall create a presumption of public need and necessity and shall serve as the commission's report required by s. *403.507(4)* ~~403.507(2)(a)2~~. An order entered pursuant to this section constitutes final agency action.

(4) In making its determination on a proposed electrical power plant using nuclear materials as fuel, the commission shall hold a hearing within 90 days after the filing of the petition to determine need and shall issue an order granting or denying the petition within 135 days after the date of the filing of the petition. The commission shall be the sole forum for the determination of this matter and the issues addressed in the petition, which accordingly shall not be reviewed in any other forum, or in the review of proceedings in such other forum. In making its determination to either grant or deny the petition, the commission shall consider the need for electric system reliability and integrity, including fuel diversity, the need for base-load generating capacity, and the need for adequate electricity at a reasonable cost.

(a) The applicant's petition shall include:

1. A description of the need for the generation capacity.

2. A description of how the proposed nuclear power plant will enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.

3. A description of and a nonbinding estimate of the cost of the nuclear power plant.

4. The annualized base revenue requirement for the first 12 months of operation of the nuclear power plant.

5. Information on whether there were any discussions with any electric utilities regarding ownership of a portion of the plant by such electric utilities.

(b) In making its determination, the commission shall take into account matters within its jurisdiction, which it deems relevant, including whether the nuclear power plant will:

1. Provide needed base-load capacity.

2. Enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.

3. Provide the most cost-effective source of power, taking into account the need to improve the balance of fuel diversity, reduce Florida's dependence on fuel oil and natural gas, reduce air emission compliance costs, and contribute to the long-term stability and reliability of the electric grid.

(c) No provision of rule 25-22.082, Florida Administrative Code, shall be applicable to a nuclear power plant sited under this act, including provisions for cost recovery, and an applicant shall not otherwise be required to secure competitive proposals for power supply prior to making application under this act or receiving a determination of need from the commission.

(d) The commission's determination of need for a nuclear power plant shall create a presumption of public need and necessity and shall serve as the commission's report required by s. 403.507(4)(a). An order entered pursuant to this section constitutes final agency action. Any petition for reconsideration of a final order on a petition for need determination shall be filed within 5 days after the date of such order. The commission's final order, including any order on reconsideration, shall be reviewable on appeal in the Florida Supreme Court. Inasmuch as delay in the determination of need will delay siting of a nuclear power plant or diminish the opportunity for savings to customers under the federal Energy Policy Act of 2005, the Supreme Court shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over matters not accorded similar precedence by law.

(e) After a petition for determination of need for a nuclear power plant has been granted, the right of a utility to recover any costs incurred prior to commercial operation, including, but not limited to, costs associated with the siting, design, licensing, or construction of the plant, shall not be subject to challenge unless and only to the extent the commission finds, based on a preponderance of the evidence adduced at a hearing before the commission under s. 120.57, that certain costs were imprudently incurred. Proceeding with the construction of the nuclear power plant following an order by the commission approving the need for the nuclear power plant under this act shall not constitute or be evidence of imprudence. Imprudence shall not include any cost increases due to events beyond the utility's control. Further, a utility's right to recover costs associated with a nuclear power plant may not be raised in any other forum or in the review of proceedings in such other forum. Costs incurred prior to commercial operation shall be recovered pursuant to chapter 366.

Section 44. Section 366.93, Florida Statutes, is created to read:

366.93 Cost recovery for the siting, design, licensing, and construction of nuclear power plants.—

(1) As used in this section, the term:

(a) "Cost" includes, but is not limited to, all capital investments, including rate of return, any applicable taxes, and all expenses, including operation and maintenance expenses, related to or resulting from the siting, licensing, design, construction, or operation of the nuclear power plant.

(b) "Electric utility" or "utility" has the same meaning as that provided in s. 366.8255(1)(a).

(c) "Nuclear power plant" or "plant" is an electrical power plant as defined in s. 403.503(12) that uses nuclear materials for fuel.

(d) "Preconstruction" is that period of time after a site has been selected through and including the date the utility completes site clearing work. Preconstruction costs shall be afforded deferred accounting treatment and shall accrue a carrying charge equal to the utility's allowance for funds during construction (AFUDC) rate until recovered in rates.

(2) Within 6 months after the enactment of this act, the commission shall establish, by rule, alternative cost recovery mechanisms for the recovery of costs incurred in the siting, design, licensing, and construction of a nuclear power plant. Such mechanisms shall be designed to promote utility investment in nuclear power plants and allow for the recovery in rates all prudently incurred costs, and shall include, but are not limited to:

(a) Recovery through the capacity cost recovery clause of any preconstruction costs.

(b) Recovery through an incremental increase in the utility's capacity cost recovery clause rates of the carrying costs on the utility's projected construction cost balance associated with the nuclear power plant. To encourage investment and provide certainty, for nuclear power plant need petitions submitted on or before December 31, 2010, associated carrying costs shall be equal to the pretax AFUDC in effect upon this act becoming law. For nuclear power plants for which need petitions are submitted after December 31, 2010, the utility's existing pretax AFUDC rate is presumed to be appropriate unless determined otherwise by the commission in the determination of need for the nuclear power plant.

(3) After a petition for determination of need is granted, a utility may petition the commission for cost recovery as permitted by this section and commission rules.

(4) When the nuclear power plant is placed in commercial service, the utility shall be allowed to increase its base rate charges by the projected annual revenue requirements of the nuclear power plant based on the jurisdictional annual revenue requirements of the plant for the first 12 months of operation. The rate of return on capital investments shall be calculated using the utility's rate of return last approved by the commission prior to the commercial inservice date of the nuclear power plant. If any existing generating plant is retired as a result of operation of the nuclear power plant, the commission shall allow for the recovery, through an increase in base rate charges, of the net book value of the retired plant over a period not to exceed 5 years.

(5) The utility shall report to the commission annually the budgeted and actual costs as compared to the estimated inservice cost of the nuclear power plant provided by the utility pursuant to s. 403.519(4), until the commercial operation of the nuclear power plant. The utility shall provide such information on an annual basis following the final order by the commission approving the determination of need for the nuclear power plant, with the understanding that some costs may be higher than estimated and other costs may be lower.

(6) In the event the utility elects not to complete or is precluded from completing construction of the nuclear power plant, the utility shall be allowed to recover all prudent preconstruction and construction costs incurred following the commission's issuance of a final order granting a determination of need for the nuclear power plant. The utility shall recover such costs through the capacity cost recovery clause over a period equal to the period during which the costs were incurred or 5 years, whichever is greater. The unrecovered balance during the recovery period will accrue interest at the utility's weighted average cost of capital as reported in the commission's earnings surveillance reporting requirement for the prior year.

Section 45. Section 403.52, Florida Statutes, is amended to read:

403.52 Short title.—Sections 403.52-403.5365 may be cited as the "*Florida Electric* Transmission Line Siting Act."

Section 46. Section 403.521, Florida Statutes, is amended to read:

403.521 Legislative intent.—The legislative intent of this act is to establish a centralized and coordinated *licensing* ~~permitting~~ process for the location of *electric* transmission line corridors and the construction*, operation,* and maintenance of *electric* transmission lines, which *are critical infrastructure facilities. This* necessarily involves several broad interests of the public addressed through the subject matter jurisdiction of several agencies. The Legislature recognizes that *electric* transmission lines will have an effect upon *the reliability of the electric power system, the environment, land use, and* the welfare of the population. Recognizing the need to ensure electric power system reliability and integrity, and in order to meet *electric* ~~electrical~~ energy needs in an orderly and timely fashion, the centralized and coordinated *licensing* ~~permitting~~ process established by this act is intended to further the legislative goal of ensuring through available and reasonable methods that the location of transmission line corridors and the construction*, operation,* and maintenance of *electric* transmission lines produce minimal adverse effects on the environment and public health, safety, and welfare ~~while not unduly conflicting with the goals established by the applicable local comprehensive plan~~. It is the intent of this act to fully balance the need for transmission lines with the broad interests of the public in order to effect a reasonable balance between the need for the facility as a means of providing *reliable, economical, and efficient electric* ~~abundant low-cost electrical~~ energy and the impact on the public and the environment resulting from the location of the transmission line corridor and the construction*, operation,* and maintenance of the transmission lines. The Legislature intends that the provisions of chapter 120 apply to this act and to proceedings *under* ~~pursuant to~~ it except as otherwise expressly exempted by other provisions of this act.

Section 47. Section 403.522, Florida Statutes, is amended to read:

403.522 Definitions relating to *the Florida Electric* Transmission Line Siting Act.—As used in this act:

(1) "Act" means the *Florida Electric* Transmission Line Siting Act.

(2) "Agency," as the context requires, means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or other unit or entity of government, including a county, municipality, or other regional or local governmental entity.

(3) "Amendment" means a material change in information provided by the applicant to the application for certification made after the initial application filing.

(4) "Applicant" means any electric utility *that* ~~which~~ applies for certification *under* ~~pursuant to the provisions of~~ this act.

(5) "Application" means the documents required by the department to be filed to initiate *and support* a certification *review and evaluation, including the initial document filing, amendments, and responses to requests from the department for additional data and information* ~~proceeding~~. An electric utility may file a comprehensive application encompassing all or a part of one or more proposed transmission lines.

(6) "Board" means the Governor and Cabinet sitting as the siting board.

(7) "Certification" means the approval by the board of *the license for* a corridor proper for certification pursuant to subsection (10) and the construction*, operation,* and maintenance of transmission lines within *the* ~~such~~ corridor with *the* ~~such~~ changes or conditions as the *siting* board deems appropriate. Certification shall be evidenced by a written order of the board.

(8) "Commission" means the Florida Public Service Commission.

(9) "Completeness" means that the application has addressed all applicable sections of the prescribed application format *and*~~, but does not~~

~~mean~~ that those sections are sufficient in comprehensiveness of data or in quality of information provided *to allow the department to determine whether the application provides the reviewing agencies adequate information to prepare the reports required by s. 403.526*.

(10) "Corridor" means the proposed area within which a transmission line right-of-way*, including maintenance and access roads,* is to be located. The width of the corridor proposed for certification by an applicant or other party, at the option of the applicant, may be the width of the transmission line right-of-way, or a wider boundary, not to exceed a width of 1 mile. The area within the corridor in which a right-of-way may be located may be further restricted by a condition of certification. After all property interests required for the transmission line right-of-way *and maintenance and access roads* have been acquired by the applicant, the boundaries of the area certified shall narrow to only that land within the boundaries of the transmission line right-of-way. The corridors proper for certification shall be those addressed in the application, in amendments to the application filed *under* ~~pursuant to~~ s. 403.5275, and in notices of acceptance of proposed alternate corridors filed by an applicant and the department pursuant to s. 403.5271 for which *the required* ~~sufficient~~ information for the preparation of agency supplemental reports was filed.

(11) "Department" means the Department of Environmental Protection.

(12) "Electric utility" means cities and towns, counties, public utility districts, regulated electric companies, electric cooperatives, *regional transmission organizations, operators of independent transmission systems, or other transmission organizations approved by the Federal Energy Regulatory Commission or the commission for the operation of transmission facilities,* and joint operating agencies, or combinations thereof, engaged in, or authorized to engage in, the business of generating, transmitting, or distributing electric energy.

(13) "License" means a franchise, permit, certification, registration, charter, comprehensive plan amendment, development order*,* or permit as defined in chapters 163 and 380, or similar form of authorization required by law, but it does not include a license required primarily for revenue purposes when issuance of the license is merely a ministerial act.

(14) "Licensee" means an applicant that has obtained a certification order for the subject project.

(15)~~(14)~~ "Local government" means a municipality or county in the jurisdiction of which the project is proposed to be located.

(16) "Maintenance and access roads" mean roads constructed within the transmission line right-of-way. Nothing in this act prohibits an applicant from constructing a road to support construction, operation, or maintenance of the transmission line that lies outside the transmission line right-of-way.

(17)~~(15)~~ "Modification" means any change in the certification order after issuance, including a change in the conditions of certification.

(18)~~(16)~~ "Nonprocedural requirements of agencies" means any agency's regulatory requirements established by statute, rule, ordinance, or comprehensive plan, excluding any provisions prescribing forms, fees, procedures, or time limits for the review or processing of information submitted to demonstrate compliance with such regulatory requirements.

(19)~~(17)~~ "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

(20)~~(18)~~ "Preliminary statement of issues" means a listing and explanation of those issues within the agency's jurisdiction which are of major concern to the agency in relation to the proposed *electric* ~~electrical~~ transmission line corridor.

(21)~~(19)~~ "Regional planning council" means a regional planning council as defined in s. 186.503(4) in the jurisdiction of which the project is proposed to be located.

~~(20) "Sufficiency" means that the application is not only complete but that all sections are adequate in the comprehensiveness of data and in the quality of information provided to allow the department to determine whether the application provides the reviewing agencies adequate information to prepare the reports authorized by s. 403.526.~~

(22)~~(21)~~ "Transmission line" *or "electric transmission line"* means *structures, maintenance and access roads, and all other facilities that need to be constructed, operated, or maintained for the purpose of conveying electric power* ~~any electrical transmission line~~ extending from, but not including, an existing or proposed substation or power plant to, but not including, an existing or proposed transmission network or rights-of-way or substation to which the applicant intends to connect which defines the end of the proposed project and which is designed to operate at 230 kilovolts or more. ~~The starting point and ending point of a transmission line must be specifically defined by the applicant and must be verified by the commission in its determination of need. A transmission line includes structures and maintenance and access roads that need to be constructed for the project to become operational.~~ The transmission line may include, at the applicant's option, any proposed terminal or intermediate substations or substation expansions necessary to serve the transmission line.

(23)~~(22)~~ "Transmission line right-of-way" means land necessary for the construction*, operation,* and maintenance of a transmission line. The typical width of the right-of-way shall be identified in the application. The right-of-way shall be located within the certified corridor and shall be identified by the applicant ~~subsequent to certification~~ in documents filed with the department *before* ~~prior to~~ construction.

(24)~~(23)~~ "Water management district" means a water management district created pursuant to chapter 373 in the jurisdiction of which the project is proposed to be located.

Section 48. Section 403.523, Florida Statutes, is amended to read:

403.523 Department of Environmental Protection; powers and duties.—The department *has* ~~shall have~~ the following powers and duties:

(1) To adopt procedural rules pursuant to ss. 120.536(1) and 120.54 to *administer* ~~implement the provisions of~~ this act and to adopt or amend rules to implement the provisions of subsection (10).

(2) To prescribe the form and content of the public notices and the form, content, and necessary supporting documentation, and any required studies, for certification applications. All ~~such~~ data and studies shall be related to the jurisdiction of the agencies relevant to the application.

(3) To receive applications for transmission line and corridor certifications and initially determine the completeness ~~and sufficiency~~ thereof.

(4) To make or contract for studies of certification applications. All ~~such~~ studies shall be related to the jurisdiction of the agencies relevant to the application. For studies in areas outside the jurisdiction of the department and in the jurisdiction of another agency, the department may initiate such studies, but only with the consent of *the* ~~such~~ agency.

(5) To administer the processing of applications for certification and ensure that the applications*, including postcertification reviews,* are processed *on an expeditious and priority basis* ~~as expeditiously as possible~~.

(6) To *collect and process* ~~require~~ such fees as allowed by this act.

(7) To prepare a report and *project* ~~written~~ analysis as required by s. 403.526.

(8) To prescribe the means for monitoring the effects arising from the location of the transmission line corridor and the construction*, operation,* and maintenance of the transmission lines to assure continued compliance with the terms of the certification.

(9) To make a determination of acceptability of any alternate corridor proposed for consideration *under* ~~pursuant to~~ s. 403.5271.

(10) To set requirements that reasonably protect the public health and welfare from the electric and magnetic fields of transmission lines for which an application is filed *under* ~~after the effective date of~~ this act.

(11) To present rebuttal evidence on any issue properly raised at the certification hearing.

(12) To issue final orders after receipt of the administrative law judge's order relinquishing jurisdiction pursuant to s. 403.527(6).

(13) To act as clerk for the siting board.

(14) To administer and manage the terms and conditions of the certification order and supporting documents and records for the life of the facility.

(15) To issue emergency orders on behalf of the board for facilities licensed under this act.

Section 49. Section 403.524, Florida Statutes, is amended to read:

403.524 Applicability*;* ~~and~~ certification*; exemptions*.—

(1) ~~The provisions of~~ This act *applies* ~~apply~~ to each transmission line, except a transmission line certified *under* ~~pursuant to~~ the Florida Electrical Power Plant Siting Act.

(2) Except as provided in subsection (1), ~~no~~ construction of *a* ~~any~~ transmission line may *not* be undertaken without first obtaining certification under this act, but ~~the provisions of~~ this act *does* ~~do~~ not apply to:

(a) Transmission lines for which development approval has been obtained *under* ~~pursuant to~~ chapter 380.

(b) Transmission lines *that* ~~which~~ have been exempted by a binding letter of interpretation issued under s. 380.06(4), or in which the Department of Community Affairs or its predecessor agency has determined the utility to have vested development rights within the meaning of s. 380.05(18) or s. 380.06(20).

(c) Transmission line development in which all construction is limited to established rights-of-way. Established rights-of-way include ~~such~~ rights-of-way *established at any time* for roads, highways, railroads, gas, water, oil, electricity, or sewage and any other public purpose rights-of-way. *If an established transmission line right-of-way is used to qualify for this exemption, the transmission line right-of-way must have been established at least 5 years before notice of the start of construction under subsection (4) of the proposed transmission line. If an established transmission line right-of-way is relocated to accommodate a public project, the date the original transmission line right-of-way was established applies to the relocated transmission line right-of-way for purposes of this exemption.* ~~Except for transmission line rights-of-way, established rights-of-way include rights-of-way created before or after October 1, 1983. For transmission line rights-of-way, established rights-of-way include rights-of-way created before October 1, 1983.~~

(d) *Unless the applicant has applied for certification under this act,* transmission lines *that* ~~which~~ are less than 15 miles in length or *are located in a single* ~~which do not cross a~~ county *within the state* ~~line, unless the applicant has elected to apply for certification under the act~~.

(3) The exemption of a transmission line under this act does not constitute an exemption for the transmission line from other applicable permitting processes under other provisions of law or local government ordinances.

(4) *An electric* ~~A~~ utility shall notify the department in writing, *before* ~~prior to~~ the start of construction, of its intent to construct a transmission line exempted *under* ~~pursuant to~~ this section. *The* ~~Such~~ notice *is* ~~shall be~~ only for information purposes, and ~~no~~ action by the department *is not* ~~shall be~~ required pursuant to *the* ~~such~~ notice. *This notice may be included in any submittal filed with the department before the start of construction demonstrating that a new transmission line complies with the applicable electric and magnetic field standards.*

Section 50. Section 403.525, Florida Statutes, is amended to read:

403.525 ~~Appointment of~~ Administrative law judge*; appointment; powers and duties*.—

(1)(a) Within 7 days after receipt of an application, whether complete or not, the department shall request the Division of Administrative Hearings to designate an administrative law judge to conduct the hearings required by this act.

(b) The division director shall designate an administrative law judge to conduct the hearings required by this act within 7 days after receipt of the request from the department. Whenever practicable, the division director shall assign an administrative law judge who has had prior experience or training in this type of certification proceeding.

(c) Upon being advised that an administrative law judge has been designated, the department shall immediately file a copy of the application and all supporting documents with the administrative law judge, who shall docket the application.

(2) The administrative law judge has all powers and duties granted to administrative law judges under chapter 120 and by the laws and rules of the department.

Section 51. Section 403.5251, Florida Statutes, is amended to read:

403.5251 ~~Distribution of~~ Application; schedules.—

(1)*(a) The formal date of the filing of the application for certification and commencement of the review process for certification is the date on which the applicant submits:*

1. Copies of the application for certification in a quantity and format, electronic or otherwise as prescribed by rule, to the department and other agencies identified in s. 403.526(2).

2. The application fee as specified under s. 403.5365 to the department.

The department shall provide to the applicant and the Division of Administrative Hearings the names and addresses of any additional agencies or persons entitled to notice and copies of the application and amendments, if any, within 7 days after receiving the application for certification and the application fees.

(b) In the application, the starting point and ending point of a transmission line must be specifically defined by the applicant. ~~Within 7 days after the filing of an application, the department shall provide the applicant and the Division of Administrative Hearings the names and addresses of those affected or other agencies entitled to notice and copies of the application and any amendments.~~

(2) Within *15* ~~7~~ days after *the formal date of the application filing* ~~completeness has been determined~~, the department shall prepare a *proposed* schedule of dates for *determination of completeness,* submission of statements of issues, ~~determination of sufficiency, and~~ submittal of final reports*,* ~~from affected and other agencies~~ and other significant dates to be followed during the certification process, including dates for filing notices of appearances to be a party *under s. 403.527(2)* ~~pursuant to s. 403.527(4)~~. This schedule shall be provided by the department to the applicant, the administrative law judge, and the agencies identified *under* ~~pursuant to~~ subsection (1). *Within 7 days after the filing of this proposed schedule, the administrative law judge shall issue an order establishing a schedule for the matters addressed in the department's proposed schedule and other appropriate matters, if any.*

(3) ~~Within 7 days after completeness has been determined, the applicant shall distribute copies of the application to all agencies identified by the department pursuant to subsection (1).~~ Copies of changes and amendments to the application shall be timely distributed by the applicant to all agencies and parties who have received a copy of the application.

(4) Notice of the filing of the application shall be made in accordance with the requirements of s. 403.5363.

Section 52. Section 403.5252, Florida Statutes, is amended to read:

403.5252 Determination of completeness.—

(1)(a) Within 30 days after distribution of an application, the affected agencies shall file a statement with the department containing the recommendations of each agency concerning the completeness of the application for certification.

(b) Within 7 ~~15~~ days after receipt of *the completeness statements of each agency* ~~an application~~, the department shall file a statement with the Division of Administrative Hearings*,* ~~and~~ with the applicant*, and with all parties* declaring its position with regard to the completeness~~, not the sufficiency,~~ of the application. *The statement of the department shall be based upon its consultation with the affected agencies.*

(2)~~(1)~~ If the department declares the application to be incomplete, the applicant, within *14* ~~15~~ days after the filing of the statement by the department, shall file with the Division of Administrative Hearings, *with all parties,* and with the department ~~a statement~~:

(a) *A withdrawal of* ~~Agreeing with the statement of the department and withdrawing~~ the application;

(b) *Additional information necessary to make the application complete. After the department first determines the application to be incomplete, the time schedules under this act are not tolled if the applicant makes the application complete within the 14-day period. A subsequent finding by the department that the application remains incomplete tolls the time schedules under this act until the application is determined complete;* ~~Agreeing with the statement of the department and agreeing to amend the application without withdrawing it. The time schedules referencing a complete application under this act shall not commence until the application is determined complete; or~~

(c) *A statement* contesting the *department's determination of incompleteness; or* ~~statement of the department.~~

(d) A statement agreeing with the department and requesting additional time to provide the information necessary to make the application complete. If the applicant exercises this option, the time schedules under this act are tolled until the application is determined complete.

(3)(a)~~(2)~~ If the applicant contests the determination by the department that an application is incomplete, the administrative law judge shall schedule a hearing on the statement of completeness. The hearing shall be held as expeditiously as possible, but not later than *21* ~~30~~ days after the filing of the statement by the department. The administrative law judge shall render a decision within *7* ~~10~~ days after the hearing.

(b) Parties to a hearing on the issue of completeness shall include the applicant, the department, and any agency that has jurisdiction over the matter in dispute. Any substantially affected person who wishes to become a party to the hearing on the issue of completeness must file a motion no later than 10 days before the date of the hearing.

(c)~~(a)~~ If the administrative law judge determines that the application was not complete ~~as filed~~, the applicant shall withdraw the application or make such additional submittals as necessary to complete it. The time schedules referencing a complete application under this act *do* ~~shall~~ not commence until the application is determined complete.

(d)~~(b)~~ If the administrative law judge determines that the application was complete at the time it was *declared incomplete* ~~filed~~, the time schedules referencing a complete application under this act shall commence upon such determination.

(4) If the applicant provides additional information to address the issues identified in the determination of incompleteness, each affected agency may submit to the department, no later than 14 days after the applicant files the additional information, a recommendation on whether the agency believes the application is complete. Within 21 days after receipt of the additional information from the applicant submitted under paragraphs (2)(b), (2)(d), or (3)(c) and considering the recommendations of the affected agencies, the department shall determine whether the additional information supplied by an applicant makes the application complete. If the department finds that the application is still incomplete, the applicant may exercise any of the options specified in subsection (2) as often as is necessary to resolve the dispute.

Section 53. Section 403.526, Florida Statutes, is amended to read:

403.526 Preliminary statements of issues, reports, *and project analyses;* ~~and~~ studies.—

(1) Each affected agency *that is required to file a report* ~~which received an application~~ in accordance with *this section* ~~s. 403.5251(3)~~ shall submit a preliminary statement of issues to the department and *all parties* ~~the applicant~~ no later than *50* ~~60~~ days after *the filing* ~~distribution~~ of the ~~complete~~ application. Such statements of issues shall be made available to each local government for use as information for public meetings *held under* ~~pursuant to~~ s. 403.5272. The failure to raise an issue in this preliminary statement of issues *does* ~~shall~~ not preclude the issue from being raised in the agency's report.

(2)(a) The *following* ~~affected~~ agencies shall prepare reports as provided below and shall submit them to the department and the applicant *no later than* ~~within~~ 90 days after *the filing* ~~distribution~~ of the ~~complete~~ application:

1. The department shall prepare a report as to the impact of each proposed transmission line or corridor as it relates to matters within its jurisdiction.

2. Each water management district in the jurisdiction of which a proposed transmission line or corridor is to be located shall prepare a report as to the impact on water resources and other matters within its jurisdiction.

3. The Department of Community Affairs shall prepare a report containing recommendations which address the impact upon the public of the proposed transmission line or corridor, based on the degree to which the proposed transmission line or corridor is consistent with the applicable portions of the state comprehensive plan*, emergency management,* and other matters within its jurisdiction. The Department of Community Affairs may also comment on the consistency of the proposed transmission line or corridor with applicable strategic regional policy plans or local comprehensive plans and land development regulations.

4. The Fish and Wildlife Conservation Commission shall prepare a report as to the impact of each proposed transmission line or corridor on fish and wildlife resources and other matters within its jurisdiction.

5. Each local government shall prepare a report as to the impact of each proposed transmission line or corridor on matters within its jurisdiction, including the consistency of the proposed transmission line or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed transmission line or corridor, including local comprehensive plans, zoning regulations, land development regulations, and any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means. *A* ~~No~~ change by the responsible local government or local agency in local comprehensive plans, zoning ordinances, or other regulations made after the date required for the filing of the local government's report required by this section *is not* ~~shall be~~ applicable to the certification of the proposed transmission line or corridor unless the certification is denied or the application is withdrawn.

6. Each regional planning council shall present a report containing recommendations that address the impact upon the public of the proposed transmission line or corridor based on the degree to which the transmission line or corridor is consistent with the applicable provisions of the strategic regional policy plan adopted *under* ~~pursuant to~~ chapter 186 and other impacts of each proposed transmission line or corridor on matters within its jurisdiction.

7. The Department of Transportation shall prepare a report as to the impact of the proposed transmission line or corridor on state roads, railroads, airports, aeronautics, seaports, and other matters within its jurisdiction.

8. The commission shall prepare a report containing its determination under s. 403.537 and the report may include the comments from the commission with respect to any other subject within its jurisdiction.

9. Any other agency, if requested by the department, shall also perform studies or prepare reports as to subjects within the jurisdiction of the agency which may potentially be affected by the proposed transmission line.

(b) Each report *must* ~~shall~~ contain*:*

1. A notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed corridor to be certified. Failure to include the notice shall be treated as a waiver from the nonprocedural requirements of that agency.

2. A recommendation for approval or denial of the application.

3. The ~~information on variances required by s. 403.531(2) and~~ proposed conditions of certification on matters within the jurisdiction of each agency. For each condition proposed by an agency, the agency shall list the specific statute, rule, or ordinance, as applicable, which authorizes the proposed condition.

(c) Each reviewing agency shall initiate the activities required by this section no later than 15 days after the ~~complete~~ application is *filed* ~~distributed~~. Each agency shall keep the applicant and the department informed as to the progress of its studies and any issues raised thereby.

(d) When an agency whose agency head is a collegial body, such as a commission, board, or council, is required to submit a report pursuant to this section and is required by its own internal procedures to have the report reviewed by its agency head prior to finalization, the agency may submit to the Department a draft version of the report by the deadline indicated in subsection (a), and shall submit a final version of the report after review by the agency head, and no later than 15 days after the deadline indicated in subsection (a).

(e) Receipt of an affirmative determination of need from the commission by the submittal deadline for agency reports under paragraph (a) is a condition precedent to further processing of the application.

(3) The department shall prepare a *project* ~~written~~ analysis *containing* ~~which contains~~ a compilation of agency reports and summaries of the material contained therein which shall be filed with the administrative law judge and served on all parties no later than *115* ~~135~~ days after the *application is filed* ~~complete application has been distributed to the affected agencies~~, and which shall include:

(a) A statement indicating whether the proposed electric transmission line will be in compliance with the rules of the department and affected agencies.

(b)~~(a)~~ The studies and reports required by this section and s. 403.537.

(c)~~(b)~~ Comments received from any other agency or person.

(d)~~(c)~~ The recommendation of the department as to the disposition of the application, of variances, exemptions, exceptions, or other relief identified by any party, and of any proposed conditions of certification which the department believes should be imposed.

(4) The failure of any agency to submit a preliminary statement of issues or a report, or to submit its preliminary statement of issues or report within the allowed time, *is* ~~shall~~ not ~~be~~ grounds for the alteration of any time limitation in this act *under* ~~pursuant to~~ s. 403.528. ~~Neither~~ The failure to submit a preliminary statement of issues or a report*, or* ~~nor~~ the inadequacy of the preliminary statement of issues or report*, are not* ~~shall be~~ grounds to deny or condition certification.

Section 54. Section 403.527, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 403.527, F.S., for present text.)

403.527 Certification hearing, parties, participants.—

(1)(a) No later than 145 days after the application is filed, the administrative law judge shall conduct a certification hearing pursuant to ss. 120.569 and 120.57 at a central location in proximity to the proposed transmission line or corridor.

(b) Notice of the certification hearing and other public hearings provided for in this section and notice of the deadline for filing of notice of intent to be a party shall be made in accordance with the requirements of s. 403.5363.

(2)(a) Parties to the proceeding shall be:

1. The applicant.

2. The department.

3. The commission.

4. The Department of Community Affairs.

5. The Fish and Wildlife Conservation Commission.

6. The Department of Transportation.

7. Each water management district in the jurisdiction of which the proposed transmission line or corridor is to be located.

8. The local government.

9. The regional planning council.

(b) Any party listed in paragraph (a), other than the department or the applicant, may waive its right to participate in these proceedings. If any listed party fails to file a notice of its intent to be a party on or before the 30th day before the certification hearing, the party is deemed to have waived its right to be a party unless its participation would not prejudice the rights of any party to the proceeding.

(c) Notwithstanding the provisions of chapter 120 to the contrary, upon the filing with the administrative law judge of a notice of intent to be a party by an agency, corporation, or association described in subparagraphs 1. and 2. or a petition for intervention by a person described in subparagraph 3. no later than 30 days before the date set for the certification hearing, the following shall also be parties to the proceeding:

1. Any agency not listed in paragraph (a) as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation of natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed transmission line or corridor is to be located.

3. Any person whose substantial interests are affected and being determined by the proceeding.

(d) Any agency whose properties or works may be affected shall be made a party upon the request of the agency or any party to this proceeding.

(3)(a) The order of presentation at the certification hearing, unless otherwise changed by the administrative law judge to ensure the orderly presentation of witnesses and evidence, shall be:

1. The applicant.

2. The department.

3. State agencies.

4. Regional agencies, including regional planning councils and water management districts.

5. Local governments.

6. Other parties.

(b) When appropriate, any person may be given an opportunity to present oral or written communications to the administrative law judge. If the administrative law judge proposes to consider such communications, all parties shall be given an opportunity to cross-examine, challenge, or rebut the communications.

(4) One public hearing where members of the public who are not parties to the certification hearing may testify shall be held within the boundaries of each county, at the option of any local government.

(a) A local government shall notify the administrative law judge and all parties not later than 21 days after the application has been determined complete as to whether the local government wishes to have a public hearing. If a filing for an alternate corridor is accepted for consideration under s. 403.5271(1) by the department and the applicant, any newly affected local government must notify the administrative law judge and all parties not later than 10 days after the data concerning the alternate corridor has been determined complete as to whether the local government wishes to have such a public hearing. The local government is responsible for providing the location of the public hearing if held separately from the certification hearing.

(b) Within 5 days after notification, the administrative law judge shall determine the date of the public hearing, which shall be held before or during the certification hearing. If two or more local governments within one county request a public hearing, the hearing shall be consolidated so that only one public hearing is held in any county. The location

of a consolidated hearing shall be determined by the administrative law judge.

(c) If a local government does not request a public hearing within 21 days after the application has been determined complete, persons residing within the jurisdiction of the local government may testify during that portion of the certification hearing at which public testimony is heard.

(5) At the conclusion of the certification hearing, the administrative law judge shall, after consideration of all evidence of record, issue a recommended order disposing of the application no later than 45 days after the transcript of the certification hearing and the public hearings is filed with the Division of Administrative Hearings.

(6)(a) No later than 25 days before the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the proceeding stipulate that there are no disputed issues of material fact to be raised at the certification hearing.

(b) The administrative law judge shall issue an order granting or denying the request within 5 days.

(c) If the administrative law judge grants the request, the department and the applicant shall publish notices of the cancellation of the certification hearing in accordance with s. 403.5363.

(d)1. If the administrative law judge grants the request, the department shall prepare and issue a final order in accordance with s. 403.529(1)(a).

2. Parties may submit proposed final orders to the department no later than 10 days after the administrative law judge issues an order relinquishing jurisdiction.

(7) The applicant shall pay those expenses and costs associated with the conduct of the hearing and the recording and transcription of the proceedings.

Section 55. Section 403.5271, Florida Statutes, is amended to read:

403.5271 Alternate corridors.—

(1) No later than *45* ~~50~~ days *before* ~~prior to~~ the originally scheduled certification hearing, any party may propose alternate transmission line corridor routes for consideration *under* ~~pursuant to~~ the provisions of this act.

(a) A notice of *a* ~~any such~~ proposed alternate corridor *must* ~~shall~~ be filed with the administrative law judge, all parties, and any local governments in whose jurisdiction the alternate corridor is proposed. *The* ~~Such~~ filing *must* ~~shall~~ include the most recent United States Geological Survey 1:24,000 quadrangle maps specifically delineating the corridor boundaries, a description of the proposed corridor, and a statement of the reasons the proposed alternate corridor should be certified.

(b)*1.* Within 7 days after receipt of *the* ~~such~~ notice, the applicant and the department shall file with the administrative law judge and all parties a notice of acceptance or rejection of a proposed alternate corridor for consideration. If the alternate corridor is rejected ~~either~~ by the applicant or the department, the certification hearing and the public hearings shall be held as scheduled. If both the applicant and the department accept a proposed alternate corridor for consideration, the certification hearing and the public hearings shall be rescheduled, if necessary.

2. If rescheduled, the certification hearing shall be held no more than 90 days after the previously scheduled certification hearing, unless *the data submitted under paragraph (d) is determined to be incomplete, in which case the rescheduled certification hearing shall be held no more than 105 days after the previously scheduled certification hearing. If* additional time is needed due to the alternate corridor crossing a local government jurisdiction *that was* not previously affected, ~~in which case~~ the remainder of the schedule listed below shall be appropriately adjusted by the administrative law judge to allow that local government to prepare a report pursuant to s. 403.526(2)(a)5.

(c) Notice *of the filing of the alternate corridor, of the revised time schedules, of the deadline for newly affected persons and agencies to file notice of intent to become a party, of the rescheduled hearing date, and of the proceedings* ~~pursuant to s. 403.527(1)(b) and (c)~~ shall be published *in accordance with s. 403.5363*.

(d) Within *21* ~~25~~ days after acceptance of an alternate corridor by the department and the applicant, the party proposing an alternate corridor shall have the burden of providing *all* ~~additional~~ data to the agencies listed in *s. 403.526(2) and newly affected agencies* ~~s. 403.526~~ necessary for the preparation of a supplementary report on the proposed alternate corridor.

(e)*1. Reviewing agencies shall advise the department of any issues concerning completeness no later than 15 days after the submittal of the data required by paragraph (d). Within 22 days after receipt of the data, the department shall issue a determination of completeness.*

2. If the department determines that the data required by paragraph (d) is not complete, the party proposing the alternate corridor must file such additional data to correct the incompleteness. This additional data must be submitted within 14 days after the determination by the department.

3. If the department, within 14 days after receiving the additional data, determines that the data remains incomplete, the incompleteness of the data is deemed a withdrawal of the proposed alternate corridor. The department may make its determination based on recommendations made by other affected agencies. ~~If the department determines within 15 days that this additional data is insufficient, the party proposing the alternate corridor shall file such additional data that corrects the insufficiency within 15 days after the filing of the department's determination. If such additional data is determined insufficient, such insufficiency of data shall be deemed a withdrawal of the proposed alternate corridor. The party proposing an alternate corridor shall have the burden of proof on the certifiability of the alternate corridor at the certification hearing pursuant to s. 403.529(4). Nothing in this act shall be construed as requiring the applicant or agencies not proposing the alternate corridor to submit data in support of such alternate corridor.~~

(f) The agencies listed in *s. 403.526(2) and any newly affected agencies* ~~s. 403.526~~ shall file supplementary reports *with the applicant and the department which address* ~~addressing~~ the proposed alternate corridors no later than *24* ~~60~~ days after the ~~additional~~ data ~~is~~ submitted pursuant to *paragraph (d) or* paragraph (e) *is determined to be complete*.

(g) The *agency reports on alternate corridors must include all information required by s. 403.526(2)* ~~agencies shall submit supplementary notice pursuant to s. 403.531(2) at the time of filing of their supplemental report~~.

(h) When an agency whose agency head is a collegial body, such as a commission, board, or council, is required to submit a report pursuant to this section and is required by its own internal procedures to have the report reviewed by its agency head prior to finalization, the agency may submit to the Department a draft version of the report by the deadline indicated in subsection (f), and shall submit a final version of the report after review by the agency head, and no later than 7 days after the deadline indicated in subsection (f).

(i)~~(h)~~ The department shall *file with the administrative law judge, the applicant, and all parties a project* ~~prepare a written~~ analysis consistent with s. 403.526(3) *no more than 16* ~~at least 29~~ days *after submittal of agency reports on* ~~prior to the rescheduled certification hearing addressing~~ the proposed alternate corridor.

(2) If the original certification hearing date is rescheduled, the rescheduling shall not provide the opportunity for parties to file additional alternate corridors to the applicant's proposed corridor or any accepted alternate corridor. However, an amendment to the application which changes the alignment of the applicant's proposed corridor shall require rescheduling of the certification hearing, if necessary, so as to allow time for a party to file alternate corridors to the realigned proposed corridor for which the application has been amended. Any ~~such~~ alternate corridor proposal shall have the same starting and ending points as the realigned portion of the corridor proposed by the applicant's amendment, provided that the administrative law judge for good cause shown may authorize another starting or ending point in the area of the applicant's amended corridor.

(3)*(a)* Notwithstanding the rejection of a proposed alternate corridor by the applicant or the department, any party may present evidence at the certification hearing to show that a corridor proper for certification does not satisfy the criteria listed in s. 403.529 or that a rejected alternate corridor would meet the criteria set forth in s. 403.529. ~~No~~ Evidence *may not* ~~shall~~ be admitted at the certification hearing on any alternate corridor, unless the alternate corridor was proposed by the filing of a notice at least *45* ~~50~~ days *before* ~~prior to~~ the originally scheduled certification hearing pursuant to this section. Rejected alternate corridors shall be considered by the board as provided in s. 403.529(4) and (5).

(b) The party proposing an alternate corridor has the burden to prove that the alternate corridor can be certified at the certification hearing. This act does not require an applicant or agency that is not proposing the alternate corridor to submit data in support of the alternate corridor.

(4) If an alternate corridor is accepted by the applicant and the department pursuant to a notice of acceptance as provided in this subsection and *the* ~~such~~ corridor is ultimately determined to be the corridor that would meet the criteria set forth in s. 403.529(4) and (5), the board shall certify that corridor.

Section 56. Section 403.5272, Florida Statutes, is amended to read:

403.5272 ~~Local governments;~~ Informational public meetings.—

(1) *A* local *government whose jurisdiction is to be crossed by a proposed corridor* ~~governments~~ may hold *one* informational public *meeting* ~~meetings~~ in addition to the hearings specifically authorized by this act on any matter associated with the transmission line proceeding. *The* ~~Such~~ informational public *meeting may be conducted by the local government or the regional planning council and shall* ~~meetings should~~ be held no later than *55* ~~80~~ days after the application is filed. The purpose of an informational public meeting is for the local government *or regional planning council* to further inform the ~~general~~ public about the transmission line proposed, obtain comments from the public, and formulate its recommendation with respect to the proposed transmission line.

(2) Informational public meetings shall be held solely at the option of each local government *or regional planning council*. It is the legislative intent that local governments *or regional planning councils* attempt to hold such public meetings. Parties to the proceedings under this act shall be encouraged to attend; however, *a* ~~no~~ party *other than the applicant and the department is not* ~~shall be~~ required to attend *the* ~~such~~ informational public *meetings* ~~hearings~~.

(3) A local government or regional planning council that intends to conduct an informational public meeting must provide notice of the meeting, with notice sent to all parties listed in s. 403.527(2)(a), not less than 5 days before the meeting.

(4)~~(3)~~ The failure to hold an informational public meeting or the procedure used for the informational public meeting *are* ~~shall~~ not ~~be~~ grounds for the alteration of any time limitation in this act *under* ~~pursuant to~~ s. 403.528 or grounds to deny or condition certification.

Section 57. Section 403.5275, Florida Statutes, is amended to read:

403.5275 Amendment to the application.—

(1) Any amendment made to the application *before certification* shall be sent by the applicant to the administrative law judge and to all parties to the proceeding.

(2) Any amendment to the application made *before* ~~prior to~~ certification shall be disposed of as part of the original certification proceeding. Amendment of the application may be considered "good cause" for alteration of time limits pursuant to s. 403.528.

Section 58. Section 403.528, Florida Statutes, is amended to read:

403.528 Alteration of time limits.—

(1) Any time limitation in this act may be altered by the administrative law judge upon stipulation between the department and the applicant unless objected to by any party within 5 days after notice or for good cause shown by any party.

(2) A comprehensive application encompassing more than one proposed transmission line may be good cause for alternation of time limits.

Section 59. Section 403.529, Florida Statutes, is amended to read:

403.529 Final disposition of application.—

(1)*(a) If the administrative law judge has granted a request to cancel the certification hearing and has relinquished jurisdiction to the department under s. 403.527(6), within 40 days thereafter, the secretary of the department shall act upon the application by written order in accordance with the terms of this act and state the reasons for issuance or denial.*

(b) If the administrative law judge does not grant a request to cancel the certification hearing under the provisions of s. 403.527(6) within *60* ~~30~~ days after receipt of the administrative law judge's recommended order, the board shall act upon the application by written order, approving in whole, approving with such conditions as the board deems appropriate, or denying the certification and stating the reasons for issuance or denial.

(2) The issues that may be raised in any hearing before the board shall be limited to matters raised in the certification proceeding before the administrative law judge or raised in the recommended order *of the administrative law judge*. All parties, or their representatives, or persons who appear before the board shall be subject to ~~the provisions of~~ s. 120.66.

(3) If certification is denied, the board*, or secretary if applicable,* shall set forth in writing the action the applicant would have to take to secure the approval of the application ~~by the board~~.

(4) In determining whether an application should be approved in whole, approved with modifications or conditions, or denied, the board*, or secretary when applicable,* shall consider whether, and the extent to which, the location of the transmission line corridor and the construction*, operation,* and maintenance of the transmission line will:

(a) Ensure electric power system reliability and integrity;

(b) Meet the electrical energy needs of the state in an orderly*, economical,* and timely fashion;

(c) Comply with *applicable* nonprocedural requirements of agencies;

(d) Be consistent with applicable *provisions of* local government comprehensive plans*, if any*; and

(e) Effect a reasonable balance between the need for the transmission line as a means of providing *reliable, economically efficient electric energy, as determined by the commission, under s. 403.537,* ~~abundant low-cost electrical energy~~ and the impact upon the public and the environment resulting from the location of the transmission line corridor and *the construction, operation, and* maintenance of the transmission lines.

(5)(a) Any transmission line corridor certified by the board*, or secretary if applicable,* shall meet the criteria of this section. When more than one transmission line corridor is proper for certification *under* ~~pursuant to~~ s. 403.522(10) and meets the criteria of this section, the board*, or secretary if applicable,* shall certify the transmission line corridor that has the least adverse impact regarding the criteria in subsection (4), including costs.

(b) If the board*, or secretary if applicable,* finds that an alternate corridor rejected pursuant to s. 403.5271 meets the criteria of subsection (4) and has the least adverse impact regarding the criteria in subsection (4), including cost, of all corridors that meet the criteria of subsection (4), ~~then~~ the board*, or secretary if applicable,* shall deny certification or shall allow the applicant to submit an amended application to include *the* ~~such~~ corridor.

(c) If the board*, or secretary if applicable,* finds that two or more of the corridors that comply with ~~the provisions of~~ subsection (4) have the least adverse impacts regarding the criteria in subsection (4), including costs, and that *the* ~~such~~ corridors are substantially equal in adverse impacts regarding the criteria in subsection (4), including costs, ~~then~~ the board*, or secretary if applicable,* shall certify the corridor preferred by the applicant if the corridor is one proper for certification *under* ~~pursuant to~~ s. 403.522(10).

(6) The issuance or denial of the certification *is* ~~by the board shall be~~ the final administrative action required as to that application.

Section 60. Section 403.531, Florida Statutes, is amended to read:

403.531 Effect of certification.—

(1) Subject to the conditions set forth therein, certification shall constitute the sole license of the state and any agency as to the approval of the location of transmission line corridors and the construction*, operation,* and maintenance of transmission lines. The certification *is* ~~shall be~~ valid for the life of the transmission line, *if* ~~provided that~~ construction on, or condemnation or acquisition of, the right-of-way is commenced within 5 years *after* ~~of~~ the date of certification or such later date as may be authorized by the board.

(2)(a) The certification *authorizes* ~~shall authorize~~ the *licensee* ~~applicant~~ to locate the transmission line corridor and to construct and maintain the transmission lines subject only to the conditions of certification set forth in *the* ~~such~~ certification.

(b) The certification may include conditions *that* ~~which~~ constitute variances and exemptions from nonprocedural standards or *rules* ~~regulations~~ of the department or any other agency~~,~~ which were expressly considered during the *certification review* ~~proceeding~~ unless waived by the agency as provided *in s. 403.526* ~~below~~ and which otherwise would be applicable to the location of the proposed transmission line corridor or the construction*, operation,* and maintenance of the transmission lines. ~~Each party shall notify the applicant and other parties at the time scheduled for the filing of the agency reports of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the board to certify any corridor proposed for certification. Failure of such notification shall be treated as a waiver from the nonprocedural requirements of that agency.~~

(3)*(a)* The certification shall be in lieu of any license, permit, certificate, or similar document required by any *state, regional, or local* agency *under* ~~pursuant to~~, but not limited to, chapter 125, chapter 161, chapter 163, chapter 166, chapter 186, chapter 253, chapter 258, chapter 298, chapter 370, *chapter 372,* chapter 373, chapter 376, chapter 380, chapter 381, ~~chapter 387,~~ chapter 403, chapter 404, the Florida Transportation Code, or 33 U.S.C. s. 1341.

(b) On certification, any license, easement, or other interest in state lands, except those the title of which is vested in the Board of Trustees of the Internal Improvement Trust Fund, shall be issued by the appropriate agency as a ministerial act. The applicant shall ~~be required to~~ seek any necessary interest in state lands the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund from the board of trustees before, during, or after the certification proceeding, and certification may be made contingent upon issuance of the appropriate interest in realty. However, ~~neither~~ the applicant *and* ~~nor~~ any party to the certification proceeding may *not* directly or indirectly raise or relitigate any matter *that* ~~which~~ was or could have been an issue in the certification proceeding in any proceeding before the Board of Trustees of the Internal Improvement Trust Fund wherein the applicant is seeking a necessary interest in state lands, but the information presented in the certification proceeding shall be available for review by the board of trustees and its staff.

(4) This act *does* ~~shall~~ not in any way affect the ratemaking powers of the commission under chapter 366. This act *does* ~~shall also~~ not in any way affect the right of any local government to charge appropriate fees or require that construction be in compliance with the National Electrical Safety Code, as prescribed by the commission.

(5) *A* ~~No~~ term or condition of certification *may not* ~~shall~~ be interpreted to preclude the postcertification exercise by any party of whatever procedural rights it may have under chapter 120, including those related to rulemaking proceedings.

Section 61. Section 403.5312, Florida Statutes, is amended to read:

403.5312 *Filing* ~~Recording~~ of notice of certified corridor route.—

(1) Within 60 days after certification of a directly associated transmission line *under* ~~pursuant to~~ ss. 403.501-403.518 or a transmission line corridor *under* ~~pursuant to~~ ss. 403.52-403.5365, the applicant shall file *with the department and*, in accordance with s. 28.222, with the clerk of the circuit court for each county through which the corridor will pass, a notice of the certified route.

(2) The notice *must* ~~shall~~ consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and *must* ~~shall~~ state that the certification of the corridor will result in the acquisition of rights-of-way within the corridor. Each clerk shall record the filing in the official record of the county for the duration of the certification or until such time as the applicant certifies to the *department and the* clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within *the* ~~such~~ county, whichever is sooner.

(3) The recording of this notice *does* ~~shall~~ not constitute a lien, cloud, or encumbrance on real property.

Section 62. Section 403.5315, Florida Statutes, is amended to read:

403.5315 Modification of certification.—A certification may be modified after issuance in any one of the following ways:

(1) The board may delegate to the department the authority to modify specific conditions in the certification.

(2) The licensee may file a petition for modification with the department or the department may initiate the modification upon its own initiative.

(a) A petition for modification must set forth:

1. The proposed modification;

2. The factual reasons asserted for the modification; and

3. The anticipated additional environmental effects of the proposed modification.

(b)~~(2)~~ The department may modify the terms and conditions of the certification if no party objects in writing to *the* ~~such~~ modification within 45 days after notice by mail to the last address of record in the certification proceeding, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days after issuance of public notice.

(c) If objections are raised or the department denies the proposed modification, the licensee may file a request for hearing on the modification with the department. Such a request shall be handled pursuant to chapter 120.

(d) A request for hearing referred to the Division of Administrative Hearings shall be disposed of in the same manner as an application but with time periods established by the administrative law judge commensurate with the significance of the modification requested. ~~If objections are raised, the applicant may file a petition for modification pursuant to subsection (3).~~

~~(3) The applicant or the department may file a petition for modification with the department and the Division of Administrative Hearings setting forth:~~

~~(a) The proposed modification;~~

~~(b) The factual reasons asserted for the modification; and~~

~~(c) The anticipated additional environmental effects of the proposed modification.~~

~~(4) Petitions filed pursuant to subsection (3) shall be disposed of in the same manner as an application but with time periods established by the administrative law judge commensurate with the significance of the modification requested.~~

Section 63. Section 403.5317, Florida Statutes, is created to read:

403.5317 Postcertification activities.—

(1)(a) If, subsequent to certification, a licensee proposes any material change to the application or prior amendments, the licensee shall submit to the department a written request for amendment and description of the proposed change to the application. The department shall, within 30 days after the receipt of the request for the amendment, determine whether the proposed change to the application requires a modification of the conditions of certification.

(b) If the department concludes that the change would not require a modification of the conditions of certification, the department shall notify, in writing, the licensee, all agencies, and all parties of the approval of the amendment.

(c) If the department concludes that the change would require a modification of the conditions of certification, the department shall notify the licensee that the proposed change to the application requires a request for modification under s. 403.5315.

(2) Postcertification submittals filed by a licensee with one or more agencies are for the purpose of monitoring for compliance with the issued certification. Each submittal must be reviewed by each agency on an expedited and priority basis because each facility certified under this act is a critical infrastructure facility. Postcertification review may not be completed more than 90 days after complete information for a segment of the certified transmission line is submitted to the reviewing agencies.

Section 64. Section 403.5363, Florida Statutes, is created to read:

403.5363 Public notices; requirements.—

(1)(a) The applicant shall arrange for the publication of the notices specified in paragraph (b).

1. The notices shall be published in newspapers of general circulation within counties crossed by the transmission line corridors proper for certification. The required newspaper notices for filing of an application and for the certification hearing shall be one-half page in size in a standard-size newspaper or a full page in a tabloid-size newspaper and published in a section of the newspaper other than the section for legal notices. These two notices must include a map generally depicting all transmission corridors proper for certification. A newspaper of general circulation shall be the newspaper within a county crossed by a transmission line corridor proper for certification which newspaper has the largest daily circulation in that county and has its principal office in that county. If the newspaper having the largest daily circulation has its principal office outside the county, the notices must appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

2. The department shall adopt rules specifying the content of the newspaper notices.

3. All notices published by the applicant shall be paid for by the applicant and shall be in addition to the application fee.

(b) Public notices that must be published under this section include:

1. The notice of the filing of an application, which must include a description of the proceedings required by this act. The notice must describe the provisions of s. 403.531(1) and (2) and give the date by which notice of intent to be a party or a petition to intervene in accordance with s. 403.527(2) must be filed. This notice must be published no more than 21 days after the application is filed.

2. The notice of the certification hearing and any other public hearing permitted under s. 403.527. The notice must include the date by which a person wishing to appear as a party must file the notice to do so. The notice of the certification hearing must be published at least 65 days before the date set for the certification hearing.

3. The notice of the cancellation of the certification hearing, if applicable. The notice must be published at least 3 days before the date of the originally scheduled certification hearing.

4. The notice of the filing of a proposal to modify the certification submitted under s. 403.5315, if the department determines that the modification would require relocation or expansion of the transmission line right-of-way or a certified substation.

(2) The proponent of an alternate corridor shall arrange for the publication of the filing of the proposal for an alternate corridor, the revised time schedules, the date by which newly affected persons or agencies may file the notice of intent to become a party, and the date of the rescheduled hearing. A notice listed in this subsection must be published in a newspaper of general circulation within the county or counties crossed by the proposed alternate corridor and comply with the content requirements set forth in paragraph (1)(a). The notice must be published not less than 50 days before the rescheduled certification hearing.

(3) The department shall arrange for the publication of the following notices in the manner specified by chapter 120:

(a) The notice of the filing of an application and the date by which a person intending to become a party must file a petition to intervene or a notice of intent to be a party. The notice must be published no later than 21 days after the application has been filed.

(b) The notice of any administrative hearing for certification, if applicable. The notice must be published not less than 65 days before the date set for a hearing, except that notice for a rescheduled certification hearing after acceptance of an alternative corridor must be published not less than 50 days before the date set for the hearing.

(c) The notice of the cancellation of a certification hearing, if applicable. The notice must be published not later than 7 days before the date of the originally scheduled certification hearing.

(d) The notice of the hearing before the siting board, if applicable.

(e) The notice of stipulations, proposed agency action, or a petition for modification.

Section 65. Section 403.5365, Florida Statutes, is amended to read:

403.5365 Fees; disposition.—The department shall charge the applicant the following fees, as appropriate, which*, unless otherwise specified,* shall be paid into the Florida Permit Fee Trust Fund:

(1) An application fee.

(a) The application fee shall be ~~of~~ $100,000, plus $750 per mile for each mile of corridor in which the transmission line right-of-way is proposed to be located within an existing *electric* ~~electrical~~ transmission line right-of-way or within any existing right-of-way for any road, highway, railroad, or other aboveground linear facility, or $1,000 per mile for each mile of *electric* transmission line corridor proposed to be located outside *the* ~~such~~ existing right-of-way.

(b)~~(a)~~ Sixty percent of the fee shall go to the department to cover any costs associated with *coordinating the review of* ~~reviewing~~ and acting upon the application and any costs for field services associated with monitoring construction and operation of the *electric transmission line* facility.

(c)~~(b)~~ *The following percentage* ~~Twenty percent of the fees specified under this section, except postcertification fees,~~ shall be transferred to the Administrative Trust Fund of the Division of Administrative Hearings of the Department of Management Services*:*~~.~~

1. Five percent to compensate for expenses from the initial exercise of duties associated with the filing of an application.

2. An additional 10 percent if an administrative hearing under s. 403.527 is held.

(d)1.~~(c)~~ Upon written request with proper itemized accounting within 90 days after final agency action by the *siting* board or *the department or the* withdrawal of the application, the *agencies that prepared reports under s. 403.526 or s. 403.5271 or participated in a hearing under s. 403.527 or s. 403.5271 may submit a written request to the department for reimbursement of expenses incurred during the certification proceedings. The request must contain an accounting of expenses incurred, which may include time spent reviewing the application,* ~~department shall reimburse the expenses and costs of the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the water management district, regional planning council, and local government in the jurisdiction of which the transmission line is to be located. Such reimbursement shall be authorized for the~~ preparation of any studies required of the agencies by this act, ~~and for~~ agency travel and per diem to attend any hearing held *under* ~~pursuant to~~ this act, and for the local government *or regional planning council providing additional notice of the informational public meeting. The department shall review the request and verify whether a claimed expense is valid. Valid expenses shall be reimbursed; however, if* ~~to participate in the proceedings. In the event~~ the amount *of funds* available for *reimbursement* ~~allocation~~ is insufficient to provide for *full compensation* ~~complete reimbursement~~ to the agencies, reimbursement shall be on a prorated basis.

2. If the application review is held in abeyance for more than 1 year, the agencies may submit a request for reimbursement under subparagraph 1.

(e)~~(d)~~ If any sums are remaining, the department shall retain them for its use in the same manner as is otherwise authorized by this section; ~~provided,~~ however, ~~that~~ if the certification application is withdrawn, the remaining sums shall be refunded to the applicant within 90 days after withdrawal.

(2) An amendment fee.

(a) If no corridor alignment change is proposed by the amendment, no amendment fee shall be charged.

(b) If a corridor alignment change *under s. 403.5275* is proposed by the applicant, an additional fee of a minimum of $2,000 and $750 per mile shall be submitted to the department for use in accordance with this act.

(c) If an amendment is required to address issues, including alternate corridors *under* ~~pursuant to~~ s. 403.5271, raised by the department or other parties, no fee for *the* ~~such~~ amendment shall be charged.

(3) A certification modification fee.

(a) If no corridor alignment change is proposed by the *licensee* ~~applicant~~, the modification fee shall be $4,000.

(b) If a corridor alignment change is proposed by the *licensee* ~~applicant~~, the fee shall be $1,000 for each mile of realignment plus an amount not to exceed $10,000 to be fixed by rule on a sliding scale based on the load-carrying capability and configuration of the transmission line for use in accordance with subsection *(1)* ~~(2)~~.

Section 66. Subsection (1) of section 403.537, Florida Statutes, is amended to read:

403.537 Determination of need for transmission line; powers and duties.—

(1)(a) Upon request by an applicant or upon its own motion, the Florida Public Service Commission shall schedule a public hearing, after notice, to determine the need for a transmission line regulated by the *Florida Electric* Transmission Line Siting Act, ss. 403.52-403.5365. *The* ~~Such~~ notice shall be published at least *21* ~~45~~ days before the date set for the hearing and shall be published *by the applicant* in at least one-quarter page size notice in newspapers of general circulation, *and by the commission in the manner specified in chapter 120* ~~in the Florida Administrative Weekly~~, by giving notice to counties and regional planning councils in whose jurisdiction the transmission line could be placed, and by giving notice to any persons who have requested to be placed on the mailing list of the commission for this purpose. Within 21 days after receipt of a request for determination by an applicant, the commission shall set a date for the hearing. The hearing shall be held pursuant to s. 350.01 within 45 days after the filing of the request, and a decision shall be rendered within 60 days after such filing.

(b) The commission shall be the sole forum in which to determine the need for a transmission line. The need for a transmission line may not be raised or be the subject of review in another proceeding.

(c)~~(b)~~ In the determination of need, the commission shall take into account the need for electric system reliability and integrity, the need for abundant, low-cost electrical energy to assure the economic well-being of the *residents* ~~citizens~~ of this state, the appropriate starting and ending point of the line, and other matters within its jurisdiction deemed relevant to the determination of need. *The appropriate starting and ending points of the electric transmission line must be verified by the commission in its determination of need.*

(d)~~(c)~~ The determination by the commission of the need for the transmission line, as defined in *s. 403.522(22)* ~~s. 403.522(21)~~, is binding on all parties to any certification proceeding *under* ~~pursuant to~~ the *Florida Electric* Transmission Line Siting Act and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered pursuant to this section constitutes final agency action.

Section 67. Subsection (3) of section 373.441, Florida Statutes, is amended to read:

373.441 Role of counties, municipalities, and local pollution control programs in permit processing.—

(3) The department shall review environmental resource permit applications for electrical distribution and transmission lines and other facilities related to the production, transmission, and distribution of electricity which are not certified under ss. 403.52-403.5365, the *Florida Electric* Transmission Line Siting Act, regulated under this part.

Section 68. Subsection (30) of section 403.061, Florida Statutes, is amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

(30) Establish requirements by rule that reasonably protect the public health and welfare from electric and magnetic fields associated with existing 230 kV or greater electrical transmission lines, new 230 kV and greater electrical transmission lines for which an application for certification under the *Florida Electric* Transmission Line Siting Act, ss. 403.52-403.5365, is not filed, new or existing electrical transmission or distribution lines with voltage less than 230 kV, and substation facilities. Notwithstanding any other provision in this chapter or any other law of this state or political subdivision thereof, the department shall have exclusive jurisdiction in the regulation of electric and magnetic fields associated with all electrical transmission and distribution lines and substation facilities. However, nothing herein shall be construed as superseding or repealing the provisions of s. 403.523(1) and (10).

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to humans, animals or plants, or to the environment.

Section 69. Paragraph (a) of subsection (3) of section 403.0876, Florida Statutes, is amended to read:

403.0876 Permits; processing.—

(3)(a) The department shall establish a special unit for permit coordination and processing to provide expeditious processing of department permits which the district offices are unable to process expeditiously and to provide accelerated processing of certain permits or renewals for economic and operating stability. The ability of the department to process applications *under* ~~pursuant to~~ this subsection in a more timely manner than allowed by subsections (1) and (2) is dependent upon the timely exchange of information between the applicant and the department and the intervention of outside parties as allowed by law. An applicant may request the processing of its permit application by the special unit if the application is from an area of high unemployment or low per capita income, is from a business or industry that is the primary employer within an area's labor market, or is in an industry with respect to which the complexities involved in the review of the application require special skills uniquely available in the headquarters office. The department may require the applicant to waive the 90-day time limitation for department issuance or denial of the permit once for a period not to exceed 90 days. The department may require a special fee to cover the direct cost of processing special applications in addition to normal permit fees and costs. The special fee may not exceed $10,000 per permit required. Applications for renewal permits, but not applications for initial permits, required for facilities pursuant to the Electrical Power Plant Siting Act or the *Florida Electric* Transmission Line Siting Act may be processed under this subsection. Personnel staffing the special unit shall have lengthy experience in permit processing.

Section 70. Paragraph (b) of subsection (3) of section 403.809, Florida Statutes, is amended to read:

403.809 Environmental districts; establishment; managers; functions.—

(3)

(b) The processing of all applications for permits, licenses, certificates, and exemptions shall be accomplished at the district center or the branch office, except for those applications specifically assigned elsewhere in the department under s. 403.805 or to the water management

districts under s. 403.812 and those applications assigned by interagency agreement as provided in this act. However, the secretary, as head of the department, may not delegate to district or subdistrict managers, water management districts, or any unit of local government the authority to act on the following types of permit applications:

1. Permits issued under s. 403.0885, except such permit issuance may be delegated to district managers.

2. Construction of major air pollution sources.

3. Certifications under the Florida Electrical Power Plant Siting Act or the *Florida Electric* Transmission Line Siting Act and the associated permit issued under s. 403.0885, if applicable.

4. Permits issued under s. 403.0885 to steam electric generating facilities regulated pursuant to 40 C.F.R. part 423.

5. Permits issued under s. 378.901.

Section 71. *Sections 403.5253 and 403.5369, Florida Statutes, are repealed.*

Section 72. *By November 1, 2006, the Department of Environmental Protection shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing the state's leadership by example in energy conservation and energy efficiency. The report must include a description of state programs designed to achieve energy conservation and energy efficiency at state-owned facilities, such as the guaranteed energy performance savings contracting pursuant to s. 489.145, Florida Statutes, and the inclusion of alternative fuel vehicles in state fleets. The report must describe the costs of implementation, details of the programs, and current and projected energy and cost savings. The report must also set forth recommendations on a rebate program for purchases of energy-efficient appliances.*

Section 73. Section 403.885, Florida Statutes, is amended to read:

403.885 *Water Projects* ~~Stormwater management; wastewater management; and Water Restoration~~ Grant Program.—

(1) The Department of Environmental Protection shall administer a grant program to use funds transferred pursuant to s. 212.20 to the Ecosystem Management and Restoration Trust Fund or other moneys as appropriated by the Legislature for *water quality improvement,* stormwater management, wastewater management, and water restoration *and other water projects as specifically appropriated by the Legislature* ~~project grants~~. Eligible recipients of such grants include counties, municipalities, water management districts, and special districts that have legal responsibilities for *water quality improvement, water management,* stormwater management, wastewater management, *lake* and *river* water restoration projects*, and*~~.~~ drinking water projects ~~are not eligible for funding~~ pursuant to this section.

(2) The grant program shall provide for the evaluation of annual grant proposals. The department shall evaluate such proposals to determine if they:

(a) Protect public health *or* ~~and~~ the environment.

(b) Implement plans developed pursuant to the Surface Water Improvement and Management Act created in part IV of chapter 373, other water restoration plans required by law, management plans prepared pursuant to s. 403.067, or other plans adopted by local government for water quality improvement and water restoration.

~~(3) In addition to meeting the criteria in subsection (2), annual grant proposals must also meet the following requirements:~~

~~(a) An application for a stormwater management project may be funded only if the application is approved by the water management district with jurisdiction in the project area. District approval must be based on a determination that the project provides a benefit to a priority water body.~~

~~(b) Except as provided in paragraph (c), an application for a wastewater management project may be funded only if:~~

~~1. The project has been funded previously through a line item in the General Appropriations Act; and~~

~~2. The project is under construction.~~

~~(c) An application for a wastewater management project that would qualify as a water pollution control project and activity in s. 403.1838 may be funded only if the project sponsor has submitted an application to the department for funding pursuant to that section.~~

~~(4) All project applicants must provide local matching funds as follows:~~

~~(a) An applicant for state funding of a stormwater management project shall provide local matching funds equal to at least 50 percent of the total cost of the project; and~~

~~(b) An applicant for state funding of a wastewater management project shall provide matching funds equal to at least 25 percent of the total cost of the project.~~

~~The requirement for matching funds may be waived if the applicant is a financially disadvantaged small local government as defined in subsection (5).~~

~~(5) Each fiscal year, at least 20 percent of the funds available pursuant to this section shall be used for projects to assist financially disadvantaged small local governments. For purposes of this section, the term "financially disadvantaged small local government" means a municipality having a population of 7,500 or less, a county having a population of 35,000 or less, according to the latest decennial census and a per capita annual income less than the state per capita annual income as determined by the United States Department of Commerce, or a county in an area designated by the Governor as a rural area of critical economic concern pursuant to s. 288.0656. Grants made to these eligible local governments shall not require matching local funds.~~

~~(6) Each year, stormwater management and wastewater management projects submitted for funding through the legislative process shall be submitted to the department by the appropriate fiscal committees of the House of Representatives and the Senate. The department shall review the projects and must provide each fiscal committee with a list of projects that appear to meet the eligibility requirements under this grant program.~~

Section 74. *For the 2006-2007 fiscal year, the sum of $61,379 is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of administering the energy-efficient products sales tax holiday.*

Section 75. *For the 2006-2007 fiscal year, the sum of $8,587,000 in nonrecurring funds is appropriated from the General Revenue Fund and $6,413,000 in nonrecurring funds is appropriated from the Grants and Donations Trust Fund in the Department of Environmental Protection for the purpose of funding the Renewable Energy Technologies Grants program authorized in s. 377.804, Florida Statutes. From the General Revenue Funds, $5,000,000 are contingent upon the coordination between the Department of Environmental Protection and the Department of Agriculture and Consumer Services pursuant to s. 377.804(6), Florida Statutes.*

Section 76. *For the 2006-2007 fiscal year, the sum of $2.5 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Environmental Protection for the purpose of funding commercial and consumer solar incentives authorized in s. 377.806, Florida Statutes.*

Section 77. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to energy; providing legislative findings and intent; creating s. 377.801, F.S.; creating the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creating s. 377.802, F.S.; stating the purpose of the act; creating s. 377.803, F.S.; providing definitions; creating s. 377.804, F.S.; creating the Renewable Energy Technologies Grants Program; providing program requirements and procedures, including matching funds; requiring the Department of Environmental Protection to adopt rules and coordinate with the Department of Agriculture and Consumer Services; requiring joint departmental approval for the funding of any project; specifying a period during which the sale of energy-

efficient products is exempt from certain tax; providing a limitation; providing a definition; prohibiting purchase of products by certain payment methods; providing that certain purchases or attempts to purchase are unfair methods of competition and punishable as such; authorizing the Department of Revenue to adopt rules; creating s. 377.806, F.S.; creating the Solar Energy System Incentives Program; providing program requirements, procedures, and limitations; requiring the Department of Environmental Protection to adopt rules; creating the Florida Energy Commission within the Office of Legislative Services; providing for appointment, qualifications, and terms of members; authorizing certain persons to attend meetings of and advise the commission; providing for reimbursement for travel expenses and per diem; providing for meetings; providing purposes and guiding principles of the commission; requiring recommendations and reports; providing legislative intent; providing rulemaking authority; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel," "ethanol," and "hydrogen fuel cells"; providing tax exemptions in the form of a rebate for the sale or use of certain equipment, machinery, and other materials for renewable energy technologies; providing eligibility requirements and tax credit limits; authorizing the Department of Revenue to adopt rules; directing the Department of Environmental Protection to determine and publish certain information relating to such exemptions; providing for expiration of the exemption; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Department of Environmental Protection for specified purposes; amending s. 220.02, F.S.; providing the order of application of the renewable energy technologies investment tax credit; creating s. 220.192, F.S.; providing definitions; establishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing certain authority to the Department of Environmental Protection and the Department of Revenue; directing the Department of Environmental Protection to determine and publish certain information; providing for expiration of the tax credit; creating s. 220.193, F.S.; creating the Florida renewable energy production credit; providing definitions; providing a tax credit for the production and sale of renewable Florida energy; providing for the use and transfer of the tax credit; authorizing the Department of Revenue to adopt rules concerning the tax credit; amending s. 220.13, F.S.; providing additions to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and make certain determinations; directing the commission to conduct a study and provide a report by a certain date; creating s. 366.92, F.S.; relating to the Florida renewable energy policy; providing intent; providing definitions; authorizing the Florida Public Service Commission to adopt goals for increasing the use of Florida renewable energy resources; authorizing the commission to adopt rules; requiring the commission to conduct a study and review; providing criteria for such study and a review; requiring the commission to provide a review and recommendations to the Governor and Legislature by a certain date; amending s. 403.503, F.S.; revising and providing definitions applicable to the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; providing the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; amending s. 403.5055, F.S.; revising provisions for certain permits associated with applications for electrical power plant certification; amending s. 403.506, F.S.; revising provisions relating to applicability and certification of certain power plants; amending s. 403.5064, F.S.; revising provisions for distribution of applications and schedules relating to certification; amending s. 403.5065, F.S.; revising provisions relating to the appointment of administrative law judges and specifying their powers and duties; amending s. 403.5066, F.S.; revising provisions relating to the determination of completeness for certain applications; creating s. 403.50663, F.S.; authorizing certain local governments and regional planning councils to hold an informational public meeting about a proposed electrical power plant or associated facilities; providing requirements and procedures therefor; creating s. 403.50665, F.S.; requiring local governments to file certain land use determinations; providing requirements and procedures therefor; repealing s. 403.5067, F.S., relating to the determination of sufficiency for certain applications; amending s. 403.507, F.S.; revising required preliminary statement provisions for affected agencies; requiring a report as a condition precedent to the project analysis and certification hearing; amending s. 403.508, F.S.; revising provisions relating to land use and certification hearings, including cancellation and responsibility for payment of expenses and costs; requiring certain notice; amending s. 403.509, F.S.; revising provisions relating to the final disposition of certain applications; providing requirements and provisions with respect thereto; amending s. 403.511, F.S.; revising provisions relating to the effect of certification for the construction and operation of proposed electrical power plants; providing that issuance of certification meets certain coastal zone consistency requirements; creating s. 403.5112, F.S.; requiring filing of notice for certified corridor routes; providing requirements and procedures with respect thereto; creating s. 403.5113, F.S.; authorizing postcertification amendments for power plant site certification applications; providing requirements and procedures with respect thereto; amending s. 403.5115, F.S.; requiring certain public notice for activities relating to electrical power plant site application, certification, and land use determination; providing requirements and procedures with respect thereto; directing the Department of Environmental Protection to maintain certain lists and provide copies of certain publications; amending s. 403.513, F.S.; revising provisions for judicial review of appeals relating to electrical power plant site certification; amending s. 403.516, F.S.; revising provisions relating to modification of certification for electrical power plant sites; amending s. 403.517, F.S.; revising provisions relating to supplemental applications for sites certified for ultimate site capacity; amending s. 403.5175, F.S.; revising provisions relating to existing electrical power plant site certification; revising the procedure for reviewing and processing applications; requiring additional information to be included in certain applications; amending s. 403.518, F.S.; revising the allocation of proceeds from certain fees collected; providing for reimbursement of certain expenses; directing the Department of Environmental Protection to establish rules for determination of certain fees; eliminating certain operational license fees; providing for the application, processing, approval, and cancellation of electrical power plant certification; amending s. 403.519, F.S.; directing the Public Service Commission to consider fuel diversity and reliability in certain determinations; providing requirements and procedures for determination of need for certain power plants; providing an exemption from purchased power supply bid rules under certain circumstances; creating s. 366.93, F.S.; providing definitions; requiring the Public Service Commission to implement rules related to nuclear power plant cost recovery; requiring a report; amending s. 403.52, F.S.; changing the short title to the "Florida Electric Transmission Line Siting Act"; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms "licensee" and "maintenance and access roads"; amending s. 403.523, F.S.; revising powers and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for the statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs' report; requiring the Department of Transportation, the Public Service Commission, and any other affected agency to prepare a project report; revising required content of the report; providing for notice of any nonprocedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for

approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the siting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the siting board; providing for the administrative law judge's or department's recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending ss. 373.441, 403.061, 403.0876, and 403.809, F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; requiring the Department of Environmental Protection to provide a report to the Governor and Legislature by a certain date; providing requirements for such report; amending 403.885, F.S.; revising provisions and requirements relating to the stormwater management, wastewater management, and water restoration grants program; providing for appropriations; providing effective dates.

On motion by Senator Constantine, the Senate concurred in the House amendment.

CS for CS for CS for SB 888 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1350, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 1350—A bill to be entitled An act relating to the Department of Transportation; amending s. 215.615, F.S.; revising matching requirements for revenue bonds issued for fixed-guideway transportation systems; amending s. 337.11, F.S.; amending notification requirements for construction contracts; amending s. 337.14, F.S.; providing exemptions from prequalification requirements for certain projects; amending s. 337.18, F.S.; revising requirements for surety bonds for certain construction projects; amending s. 338.161, F.S.; providing that toll agencies may enter into agreements to promote additional uses of the electronic toll collection system; amending s. 338.2275, F.S.; deleting obsolete provisions; revising the maximum amount of bonds that are available for turnpike projects; providing an effective date.

House Amendment 1 (507059)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 215.615, Florida Statutes, is amended to read:

215.615 Fixed-guideway transportation systems funding.—

(1) The issuance of revenue bonds by the Division of Bond Finance, on behalf of the Department of Transportation, pursuant to s. 11, Art. VII of the State Constitution, is authorized, pursuant to the State Bond Act, to finance or refinance fixed capital expenditures for fixed-guideway transportation systems, as defined in s. 341.031, including facilities appurtenant thereto, costs of issuance, and other amounts relating to such financing or refinancing. ~~Such revenue bonds shall be matched on a 50-50 basis with funds from sources other than revenues of the Department of Transportation, in a manner acceptable to the Department of Transportation.~~ The Division of Bond Finance is authorized to consider innovative financing *techniques,* ~~technologies~~ which may include, but are not limited to, innovative bidding and structures of potential *financings* ~~findings~~ that may result in negotiated transactions.

(a) The department and any participating commuter rail authority or regional transportation authority established under chapter 343, local governments, or local governments collectively by interlocal agreement having jurisdiction of a fixed-guideway transportation system may enter into an interlocal agreement to promote the efficient and cost-effective financing or refinancing of fixed-guideway transportation system projects by revenue bonds issued pursuant to this subsection. The terms of such interlocal agreements shall include provisions for the Department of Transportation to request the issuance of the bonds on

behalf of the parties; shall provide that *the department's share may be up to 50 percent of the eligible project cost, which may include a share of annual* ~~each party to the agreement is contractually liable for an equal share of funding an amount equal to the~~ debt service requirements of such bonds; and shall include any other terms, provisions, or covenants necessary to the making of and full performance under such interlocal agreement. Repayments made to the department under any interlocal agreement are not pledged to the repayment of bonds issued hereunder, and failure of the local governmental authority to make such payment shall not affect the obligation of the department to pay debt service on the bonds.

(b) Revenue bonds issued pursuant to this subsection shall not constitute a general obligation of, or a pledge of the full faith and credit of, the State of Florida. Bonds issued pursuant to this section shall be payable from funds available pursuant to s. 206.46(3), subject to annual appropriation. The amount of revenues available for debt service shall never exceed a maximum of 2 percent of all state revenues deposited into the State Transportation Trust Fund.

(c) The projects to be financed or refinanced with the proceeds of the revenue bonds issued hereunder are designated as state fixed capital outlay projects for purposes of s. 11(d), Art. VII of the State Constitution, and the specific projects to be financed or refinanced shall be determined by the Department of Transportation in accordance with state law and appropriations from the State Transportation Trust Fund. Each project to be financed with the proceeds of the bonds issued pursuant to this subsection must first be approved by the Legislature by an act of general law.

(d) Any complaint for validation of bonds issued pursuant to this section shall be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 shall be published only in the county where the complaint is filed, and the complaint and order of the circuit court shall be served only on the state attorney of the circuit in which the action is pending.

(e) The state does hereby covenant with holders of such revenue bonds or other instruments of indebtedness issued hereunder, that it will not repeal or impair or amend these provisions in any manner that will materially and adversely affect the rights of such holders as long as bonds authorized by this subsection are outstanding.

(f) This subsection supersedes any inconsistent provisions in existing law.

Notwithstanding this subsection, the lien of revenue bonds issued pursuant to this subsection on moneys deposited into the State Transportation Trust Fund shall be subordinate to the lien on such moneys of bonds issued under ss. 215.605, 320.20, and 215.616, and any pledge of such moneys to pay operating and maintenance expenses under s. 206.46(5) and chapter 348, as may be amended.

Section 2. Paragraph (a) of subsection (3) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(3)(a) On all construction contracts of $250,000 or less, *as well as any construction contract of less than $500,000 which the department has pursuant to s. 337.14 waived prequalification,* the department shall advertise for bids in a newspaper having general circulation in the county where the proposed work is located. Publication shall be at least once a week for no less than 2 consecutive weeks, and the first publication shall be no less than 14 days prior to the date on which bids are to be received.

Section 3. Subsection (1) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any person desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department shall address the qualification of persons to bid on construction contracts in excess of $250,000 and shall include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. The department is authorized to limit the dollar amount of any contract upon which a person is qualified to bid or the aggregate total dollar volume of contracts such person is allowed to have under contract at any one time. Each applicant seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification shall be accompanied by the latest annual financial statement of the applicant completed within the last 12 months. If the annual financial statement shows the financial condition of the applicant more than 4 months prior to the date on which the application is received by the department, then an interim financial statement must also be submitted. The interim financial statement must cover the period from the end date of the annual statement and must show the financial condition of the applicant no more than 4 months prior to the date on which the application is received by the department. Each required annual or interim financial statement must be audited and accompanied by the opinion of a certified public accountant or a public accountant approved by the department. The information required by this subsection is confidential and exempt from the provisions of s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. *The department may waive the requirements of this subsection for projects having a contract price of $500,000 or less if the department determines that the project is of a noncritical nature and noncompliance with the subsection will not endanger public health, safety, or property.*

Section 4. Paragraph (a) of subsection (1) of section 337.18, Florida Statutes, is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)(a) A surety bond shall be required of the successful bidder in an amount equal to the awarded contract price. *However, the department may choose, in its discretion and applicable only to multiyear maintenance contracts, to allow for incremental annual contract bonds that cumulatively total the full, awarded multiyear contract price.* For a project for which the contract price is *$250,000* ~~$150,000~~ or less, the department may waive the requirement for all or a portion of a surety bond if it determines the project is of a noncritical nature and nonperformance will not endanger public health, safety, or property. *If the secretary or the secretary's designee determines that it is in the best interests of the department to do so and that a reduced bonding requirement for a project will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of $250 million or more, and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate means of security for the balance of the contract amount which is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount which is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guaranties, and cash collateral.* The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is $25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 5. Subsection (1) of section 338.2275, Florida Statutes, is amended to read:

338.2275 Approved turnpike projects.—

(1) Legislative approval of the department's tentative work program that contains the turnpike project constitutes approval to issue bonds as required by s. 11(f), Art. VII of the State Constitution. *No more than $6 billion of bonds may be outstanding to fund approved turnpike projects.* ~~Turnpike projects approved to be included in future tentative work programs include, but are not limited to, projects contained in the 2003-2004 tentative work program. A maximum of $4.5 billion of bonds may be issued to fund approved turnpike projects.~~

Section 6. Section 212.0606, Florida Statutes, is amended to read:

212.0606 Rental car surcharge.—

(1) A surcharge of *$2* ~~$2.00~~ per day or any part of a day is imposed upon the lease or rental of a motor vehicle licensed for hire and designed to carry *fewer* ~~less~~ than nine passengers*,* regardless of whether such motor vehicle is licensed in Florida. The surcharge applies to only the first 30 days of the term of any lease or rental *and*~~. The surcharge~~ is subject to all applicable taxes imposed by this chapter.

(2)(a) Notwithstanding *s.* ~~the provisions of section~~ 212.20, and less costs of administration, 80 percent of the proceeds of *the* ~~this~~ surcharge *imposed under subsection (1)* shall be deposited in the State Transportation Trust Fund, 15.75 percent of the proceeds of this surcharge shall be deposited in the Tourism Promotional Trust Fund created in s. 288.122, and 4.25 percent of the proceeds of this surcharge shall be deposited in the Florida International Trade and Promotion Trust Fund. *As used in* ~~For the purposes of~~ this subsection, "proceeds" of the surcharge means all funds collected and received by the department under *subsection (1)* ~~this section~~, including interest and penalties on delinquent surcharges. The department shall provide the Department of Transportation rental car surcharge revenue information for the previous state fiscal year by September 1 of each year.

(b) Notwithstanding any other provision of law, in fiscal year 2007-2008 and each year thereafter, the proceeds deposited in the State Transportation Trust Fund shall be allocated on an annual basis in the Department of Transportation's work program to each department district, except the Turnpike District. The amount allocated for each district shall be based upon the amount of proceeds attributed to the counties within each respective district.

(3)(a) In addition to the surcharge imposed under subsection (1), a county may provide by ordinance, to be approved by countywide referendum, for the imposition of a local surcharge of $2 per day or any part of a day upon the lease or rental of a motor vehicle licensed for hire and designed to carry fewer than nine passengers, regardless of whether such motor vehicle is licensed in this state. The local surcharge may be applied to only the first 30 days of the term of any lease or rental. The local surcharge shall not apply to the lease or rental of a motor vehicle by a person for the period of time required to have a motor vehicle owned by the person undergo maintenance or repair. The person must provide a receipt for the cost of the maintenance or repair services and documentation that the person owns the motor vehicle undergoing maintenance or repair. The local surcharge is subject to all applicable taxes imposed by this chapter.

(b) If the ordinance authorizing the imposition of the local surcharge is approved by such referendum, a certified copy of the ordinance shall be furnished by the county to the department within 10 days after such approval, but no later than November 16 prior to the effective date. The notice must specify the time period during which the local surcharge will be in effect and must include a copy of the ordinance and such other information as the department may require by rule. Failure to timely provide such notification to the department shall result in the delay of the effective date for a period of 1 year. The effective date for any county to impose the local surcharge shall be January 1 following the year in which the ordinance was approved by referendum. A local surcharge may not terminate on a date other than December 31.

(c) Any local surcharge proceeds collected by a dealer that fails to report surcharge collections by county as required by paragraph (4)(b) shall be deposited into the Solid Waste Management Trust Fund and then transferred to the Local Option Fuel Tax Trust Fund as separate from the county surcharge collection accounts. The department shall distribute funds in this account, less the cost of administration, using a distribution factor determined for each county that levies a local surcharge, based upon the county's latest official population determined pursuant to s. 186.901 and multiplied by the amount of funds in the account and available for distribution.

(d) Notwithstanding s. 212.20, and less the costs of administration, the proceeds of the local surcharge imposed under paragraph (a) shall be transferred to the Local Option Fuel Tax Trust Fund for the purposes allowed under s. 206.60 and distributed monthly by the department under s. 336.025(3)(a)1. or s. 336.025(4)(a), except that the local surcharge proceeds shall be distributed monthly by the department directly to those counties that have entered into interlocal funding agreements with regional transportation authorities created pursuant to chapter 343. As used in this subsection, "proceeds" of the local surcharge means all funds collected and received by the department under this subsection, including interest and penalties on delinquent local surcharges.

(4)~~(3)~~(a) Except as provided in this section, the department shall administer, collect, and enforce the surcharge *and local surcharge* as provided in this chapter.

(b) The department shall require dealers to report surcharge *and local surcharge* collections according to the county to which the surcharge *and local surcharge were* ~~was~~ attributed. For purposes of this section, the surcharge *and local surcharge* shall be attributed to the county where the rental agreement was entered into.

(c) Dealers who collect *a* ~~the~~ rental car surcharge shall report to the department all surcharge *and local surcharge* revenues attributed to the county where the rental agreement was entered into on a timely filed return for each required reporting period. The provisions of this chapter which apply to interest and penalties on delinquent taxes shall apply to the surcharge *and local surcharge*. The surcharge *and local surcharge* shall not be included in the calculation of estimated taxes pursuant to s. 212.11. The dealer's credit provided in s. 212.12 shall not apply to any amount collected under this section.

(5)~~(4)~~ The surcharge *and any local surcharge* imposed by this section *do* ~~does~~ not apply to a motor vehicle provided at no charge to a person whose motor vehicle is being repaired, adjusted, or serviced by the entity providing the replacement motor vehicle.

Section 7. Paragraph (b) of subsection (1) of section 343.54, Florida Statutes, is amended to read:

343.54 Powers and duties.—

(1)

(b) It is the express intention of this part that the authority be authorized to plan, develop, own, purchase, lease, or otherwise acquire, demolish, construct, improve, relocate, equip, repair, maintain, operate, and manage a transit system and transit facilities; to establish and determine the policies necessary for the best interest of the operation and promotion of a transit system; and to adopt rules necessary to govern the operation of a transit ~~commuter rail~~ system and transit ~~commuter rail~~ facilities. It is the intent of the Legislature that the South Florida Regional Transportation Authority shall have overall authority to coordinate, develop, and operate a regional transportation system within the area served.

Section 8. Subsection (4) is added to section 343.55, Florida Statutes, to read:

343.55 Issuance of revenue bonds.—

(4) The state pledges to and agrees with any person, firm, corporation, or federal or state agency subscribing to or acquiring the bonds to be issued by the authority for the purposes of the South Florida Regional Transportation Authority Act that the state will not limit or alter the rights vested in the authority under this section until all bonds at any time issued and secured by revenues remitted to the authority pursuant to s. 343.58, together with the interest thereon, are fully paid and discharged, insofar as the same affects the rights of the holders of bonds issued under this section.

Section 9. Section 343.58, Florida Statutes, is amended to read:

343.58 County funding for the South Florida Regional Transportation Authority.—

(1) Each county served by the South Florida Regional Transportation Authority must dedicate *and transfer not less than* $2.67 million to the authority annually. The recurring annual $2.67 million must be dedicated by the governing body of each county *prior to October 31 of each fiscal year* ~~by August 1, 2003~~. ~~Notwithstanding ss. 206.41 and 206.87, such dedicated funding may come from each county's share of the ninth-cent fuel tax, the local option fuel tax, or any other source of local gas taxes or other nonfederal funds available to the counties. In addition, the Legislature authorizes the levy of an annual license tax in the amount of $2 for the registration or renewal of registration of each vehicle taxed under s. 320.08 and registered in the area served by the South Florida Regional Transportation Authority. The annual license tax shall take effect in any county served by the authority upon approval by the residents in a county served by the authority. The annual license tax shall be levied and the Department of Highway Safety and Motor Vehicles shall remit the proceeds each month from the tax to the South Florida Regional Transportation Authority.~~

(2) At least $45 million of the state-authorized, local option rental-car surcharge available to Broward, Miami-Dade, and Palm Beach counties shall be directed to the authority to fund its capital, operating, and maintenance expenses. The funding source shall be dedicated to the authority only if Broward, Miami-Dade, and Palm Beach counties each impose the local-option rental-car surcharge.

(3)~~(2)~~ In addition, each county shall continue to annually fund the operations of the South Florida Regional Transportation Authority in an amount not less than *$4.2* ~~$1.565~~ million. *Revenue raised* ~~Such funds~~ pursuant to this subsection shall also be considered a dedicated funding source.

(4) The current funding obligations under subsections (1) and (3) shall cease upon commencement of the collection of funding from the funding source under subsection (2). Should the funding under subsection (2) be discontinued for any reason, the funding obligations under subsections (1) and (3) shall resume when collection from the funding source under subsection (2) ceases. Payment by the counties shall be on a pro rata basis the first year following cessation of the funding under subsection (2). The authority shall refund a pro rata share of the payments for the current fiscal year made pursuant to the current funding obligations under subsections (1) and (3) as soon as reasonably practicable after it begins to receive funds under subsection (2).

(5) If, by December 31, *2015* ~~2009~~, the South Florida Regional Transportation Authority has not received federal matching funds based upon the dedication of funds under subsection (1), subsection (1) shall be repealed.

Section 10. *The Legislature finds that a proper and legitimate state purpose is served in the effective and efficient planning and operation of a regional transportation system. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 11. Subsection (3) is added to section 338.161, Florida Statutes, to read:

338.161 Authority of department *or toll agencies* to advertise and promote electronic toll collection*; expanded uses of electronic toll collection system; studies authorized*.—

(3)(a) The department or any toll agency created by statute may incur expenses to advertise or promote its electronic toll collection system to consumers on or off the turnpike or toll system.

(b) If the department or any toll agency created by statute finds that it can increase nontoll revenues or add convenience or other value for its customers, the department or toll agency may enter into agreements with any private or public entity allowing the use of its electronic toll collection system to pay parking fees for vehicles equipped with a transponder or similar device. The department or toll agency may initiate feasibility studies of additional future uses of its electronic toll collection system and make recommendations to the Legislature to authorize such uses.

Section 12. *George W. Harris, Jr. Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 98/State Road 35/700 in Polk County between Main Street in Bartow and Main Street in Lakeland is designated as "George W. Harris, Jr. Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating George W. Harris, Jr. Boulevard as described in subsection (1).

Section 13. *Angel Manuel De La Portilla Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.W. 12th Avenue between Coral Way and S.W. 8th Street in Miami-Dade County is designated as "Angel Manuel De La Portilla Way."

(2) The Department of Transportation is directed to erect suitable markers designating Angel Manuel De La Portilla Way as described in subsection (1).

Section 14. *Dennis Pastrana Avenue designated; Department of Transportation to erect suitable markers.—*

(1) That portion of N.W. 21st Avenue between N.W. 20th Street and N.W. 23rd Street in Miami-Dade County is designated as "Dennis Pastrana Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Dennis Pastrana Avenue as described in subsection (1).

Section 15. *Luis Conte Aguero Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 27th Avenue between Coral Way and S.W. 8th Street in Miami-Dade County is designated as "Luis Conte Aguero Way."

(2) The Department of Transportation is directed to erect suitable markers designating Luis Conte Aguero Way as described in subsection (1).

Section 16. *Estrella Rubio Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of LeJeune Road/S.W. 42nd Avenue between S.W. 8th Street and Coral Way in Miami-Dade County is designated as "Estrella Rubio Way."

(2) The Department of Transportation is directed to erect suitable markers designating Estrella Rubio Way as described in subsection (1).

Section 17. *Rafael Diaz Balart Road designated; Department of Transportation to erect suitable markers.—*

(1) That portion of LeJeune Road/S.W. 42nd Avenue between Flagler Street and S.W. 8th Street in Miami-Dade County is designated as "Rafael Diaz Balart Road."

(2) The Department of Transportation is directed to erect suitable markers designating Rafael Diaz Balart Road as described in subsection (1).

Section 18. *Ambassador Armando Valladares Drive designated; Department of Transportation to erect suitable markers.—*

(1) That portion of N. Kendall Drive between S.W. 117th Avenue and S.W. 127th Avenue in Miami-Dade County is designated as "Ambassador Armando Valladares Drive."

(2) The Department of Transportation is directed to erect suitable markers designating Ambassador Armando Valladares Drive as described in subsection (1).

Section 19. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Transportation; amending s. 215.615, F.S.; revising matching requirements for revenue bonds issued for fixed-guideway transportation systems; amending s. 337.11, F.S.; amending

notification requirements for construction contracts; amending s. 337.14, F.S.; providing exemptions from prequalification requirements for certain projects; amending s. 337.18, F.S.; revising requirements for surety bonds for certain construction projects; amending s. 338.2275, F.S.; deleting obsolete provisions; revising the maximum amount of bonds that are available for turnpike projects; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing procedures and requirements for imposing the surcharge; providing for time of effect of the surcharge; providing for a distribution and use of funds collected from the surcharge; providing procedures for collection; providing for exceptions; amending s. 343.54, F.S.; revising language relating to powers and duties of the South Florida Regional Transportation Authority; deleting the term "commuter rail"; amending s. 343.55, F.S.; providing pledge to bondholders that the state will not alter certain rights vested in the authority that affect the rights of bondholders while bonds are outstanding; amending s. 343.58, F.S.; revising provisions for funding of the authority; requiring counties served by the authority to annually transfer certain funds before a certain date; removing provisions for sources of that funding; removing authorization for a vehicle registration tax; providing for a certain funding source for capital, operating, and maintenance expenses; revising county funding amounts to fund operations; providing for cessation of specified county funding contributions and providing for certain refunding of the contributions under certain circumstances; revising timeframe for repeal of specified funding provisions under certain circumstances; providing a statement of important state interest; amending s. 338.161, F.S.; providing for the department and certain toll agencies to enter into agreements with public or private entities for additional uses of electronic toll collection products and services; authorizing feasibility studies by the department or a toll agency of additional uses of electronic toll devices for legislative consideration; designating George W. Harris, Jr. Boulevard in Polk County; designating Angel Manuel De La Portilla Way, Dennis Pastrana Avenue, Luis Conte Aguero Way, Estrella Rubio Way, Rafael Diaz Balart Road, and Ambassador Armando Valladares Drive in Miami-Dade County; directing the department to erect suitable markers; providing an effective date.

On motion by Senator Sebesta, the Senate concurred in the House amendment.

CS for SB 1350 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Dockery	Posey
Alexander	Fasano	Pruitt
Argenziano	Geller	Rich
Aronberg	Hill	Sebesta
Atwater	Jones	Siplin
Baker	King	Smith
Bennett	Klein	Villalobos
Carlton	Lawson	Webster
Clary	Lynn	Wilson
Constantine	Margolis	Wise
Dawson	Miller	
Diaz de la Portilla	Peaden	

Nays—4

Campbell	Haridopolos	Saunders
Crist		

Vote after roll call:

Nay to Yea—Crist

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1506, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 1506—A bill to be entitled An act relating to insurance; amending ss. 626.9913, 626.99175, 627.836, 651.026, and 651.0261, F.S., relating to viatical settlement providers, premium finance companies, and continuing care providers; authorizing the Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in a certain format; amending s. 628.281, F.S.; authorizing the Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access; providing an effective date.

House Amendment 1 (888029)(with title amendment)—On page 1, line 22 through page 2, line 15, remove all of said lines, and insert:

(2) Annually, on or before March 1, the viatical settlement provider licensee shall file a statement containing information the commission requires and shall pay to the office a license fee in the amount of $500. *After December 31, 2007,* the annual statement shall include audited financial statements prepared in accordance with generally accepted accounting principles by an independent certified public accountant as of the last day of the preceding calendar year. If the audited financial statement has not been completed, however, the licensee shall include in its annual statement an unaudited financial statement *for the preceding calendar year* and an affidavit from an officer of the licensee stating that the audit has not been completed. In this event, the licensee shall submit the audited statement on or before June 1. The annual statement*, due on or before March 1 each year,* shall also provide the office with a report of all life expectancy providers who have provided life expectancies directly or indirectly to the viatical settlement provider for use in connection with a viatical settlement contract or a viatical settlement investment. A viatical settlement provider shall include in all statements filed with the office all information requested by the office regarding a related provider trust established by the viatical settlement provider. The office may require more frequent reporting. Failure to timely file the annual statement *or the audited financial statement* or to timely pay the license fee is grounds for immediate suspension of the license. *The commission may by*

And the title is amended as follows:

On page 1, lines 2-3, remove all of said lines, and insert: An act relating to insurance; amending s. 626.9913, F.S., relating to viatical settlement providers; specifying a beginning date for submission of a required annual statement; specifying required information; specifying the period of application of an unaudited financial statement; specifying administrative action for failing to timely file an audited financial statement; amending ss. 626.99175, 627.836, 651.026, and

On motion by Senator Alexander, the Senate concurred in the House amendment.

CS for SB 1506 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended,

and passed HB 1237 as further amended, and requests the concurrence of the Senate.

John B. Phelps, Clerk

HB 1237—A bill to be entitled An act relating to special postsecondary education programs; creating s. 1004.226, F.S.; creating the 21st Century Technology, Research, and Scholarship Enhancement Act; providing legislative findings and intent; providing definitions; creating the Florida Technology, Research, and Scholarship Board within the Board of Governors of the State University System; providing for members of the board; providing for terms; providing for board members to be reimbursed for per diem and expenses incurred in the performance of their duties; requiring that the Board of Governors of the State University System provide staff support and other support for the board; requiring that the board provide recommendations for the 21st Century World Class Scholars Program and the Centers of Excellence Program; authorizing the board to form committees and consult with certain other entities; providing for the 21st Century World Class Scholars Program to provide matching funds to state universities; providing guidelines for the board in the development of criteria for recommendation to the Board of Governors; requiring a minimum investment of funds; specifying the purposes of the Centers of Excellence; specifying entities eligible to submit proposals; requiring the board to recommend to the Board of Governors criteria for approving proposals to create or expand a Center of Excellence, to solicit proposals, and to recommend proposals that meet such criteria; requiring documentation if funds are approved for a Center of Excellence in excess of a specified amount; requiring reports by Centers of Excellence and the Board of Governors; providing for expiration of the act; creating s. 1004.635, F.S.; creating the State University System Research and Economic Development Investment Program to provide matching funds to institutions to construct and acquire facilities and equipment to support research programs and foster economic development; providing for administration by the Board of Governors of the State University System; specifying eligibility criteria for state university participation; providing for the matching of appropriated funds; providing appropriations; creating s. 1004.384, F.S.; authorizing a College of Medicine at the University of Central Florida; creating s. 1004.385, F.S.; authorizing a College of Medicine at Florida International University; providing an effective date.

House Amendment 1 (951129) to Senate Amendment 1 (154926) (with title amendment)—On page 10, line(s) 8-20, remove: all of said lines and insert:

Section 3. Section 1004.635, Florida Statutes, is created to read:

1004.635 State University System Research and Economic Development Investment Program.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to create an investment program in state universities that enhances graduate education and enables state universities to become nationally competitive in science and technology-based economic development.

(2) GENERAL PROVISIONS.—There is created the State University System Research and Economic Development Investment Program to provide matching funds to eligible institutions to construct and acquire cutting-edge, state-of-the-art science and engineering research facilities and specialized equipment to support research programs, foster economic development, and accelerate Florida's innovation economy. The program shall be administered by the Board of Governors of the State University System.

(3) INSTITUTIONAL ELIGIBILITY CRITERIA.—

(a) To be eligible to participate in the State University System Research and Economic Development Investment Program at Funding Level 1, a state university must meet each of the following criteria:

1. The number of nonprofessional doctoral degrees awarded each year must exceed 250. For purposes of this section, nonprofessional doctoral degrees do not include degrees awarded in law, medicine, dentistry, and veterinary medicine. At least 25 percent of the nonprofessional doctoral degrees must be in a mathematics, science, technology, engineering, or health-related discipline as defined by Classification of Instructional Program codes.

2. The number of postdoctoral appointees reported in the most recent NSF/NIH Survey of Graduate Students and Postdoctorates in Science and Engineering must exceed 200.

3. The 4-year undergraduate graduation rate must equal 40 percent or higher.

4. Expenditures from externally awarded contracts and grants must be a minimum of $100 million per year.

5. The university must have a proven track record of securing patents and licenses leading to products in the marketplace over the last 5 years.

6. At least 75 percent of the entering freshmen each academic year who are classified as residents for tuition purposes pursuant to s. 1009.21 must be eligible to receive Florida Bright Futures Scholarships.

7. The Basic Classification of the university, according to the 2005 Carnegie Classifications, must be as a research university with very high research activity.

(b) To be eligible to participate in the State University System Research and Economic Development Investment Program at Funding Level 2, a state university must meet, at a minimum, the requirements of subparagraphs (a)4. and 7.

The Board of Governors shall develop uniform guidelines, definitions, and reporting formats for a university to use to demonstrate that it meets each of the criteria described in this subsection. The Board of Governors shall determine the eligibility status of a state university to participate in the program provided that a state university may not participate in both Funding Level 1 and Funding Level 2 simultaneously.

(4) USE OF FUNDS.—Funds appropriated for the State University System Research and Economic Development Investment Program shall be used by the Board of Governors to match funds raised by an eligible university from nonuniversity sources on a one-time dollar-for-dollar basis.

Section 4. *For the 2006-2007 fiscal year, the sum of $95,000,000 is appropriated from nonrecurring general revenue funds to the Board of Governors of the State University System of which $20 million shall be allocated for the 21st Century World Class Scholars Program, $30 million shall be allocated for the Centers of Excellence Program, $36.5 million shall be allocated for Funding Level 1 of State University System Research and Economic Development Investment Program, and $8.5 million shall be allocated for Funding Level 2 of the State University System Research and Economic Development Investment Program.*

Section 5. *For the 2006-2007 fiscal year, the sum of $5 million is appropriated from nonrecurring general revenue to the State Board of Education for the Dr. Philip Benjamin Matching Grant Program for Community Colleges to match donations for scholarships for first-generation-in-college students.*

And the title is amended as follows:

On page 11, line(s) 12 through page 13, line 1, remove all of said lines and insert: A bill to be entitled An act relating to special postsecondary education programs; creating s. 1004.226, F.S.; creating the 21st Century Technology, Research, and Scholarship Enhancement Act; providing legislative findings and intent; providing definitions; creating the Florida Technology, Research, and Scholarship Board within the Board of Governors of the State University System; providing for members of the board; providing for terms; providing for board members to be reimbursed for per diem and expenses incurred in the performance of their duties; requiring that the Board of Governors of the State University System provide staff support and other support for the board; requiring that the board provide recommendations for the 21st Century World Class Scholars Program and the Centers of Excellence Program; authorizing the board to form committees and consult with certain other entities; providing for the 21st Century World Class Scholars Program to provide matching funds to state universities to pay salaries and support research in science and technology; providing guidelines for the board to consider in developing its criteria for an award of matching funds; requiring a minimum investment of private funds; specifying the purposes of the Centers of Excellence; identifying the entities that are eligible to submit proposals for a center of excellence; requiring that the board develop criteria for approving proposals to create or expand a

Center of Excellence; requiring that the board solicit proposals and notify state universities and research centers of a call for proposals; requiring that a Center of Excellence approved under the act report on its achievement of objectives; requiring certain documentation if funds are approved for a Center of Excellence in excess of a specified amount; requiring that the board submit an annual report to the Governor and Legislature; creating s. 1004.635, F.S.; creating the State University System Research and Economic Development Investment Program to provide matching funds to institutions to construct and acquire facilities and equipment to support research programs and foster economic development; providing for administration by the Board of Governors of the State University System; specifying eligibility criteria for state university participation; providing for the matching of appropriated funds; providing appropriations; providing for future repeal of s. 1004.226, F.S.; creating s. 1004.384, F.S.; authorizing a college of medicine at the University of Central Florida; creating s. 1004.385, F.S.; authorizing a college of medicine at Florida International University; providing an effective date.

On motion by Senator Alexander, the Senate concurred in the House amendment to the Senate amendment.

HB 1237 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment(s) to HB 7173 and requests the Senate to recede.

John B. Phelps, Clerk

HB 7173—A bill to be entitled An act relating to the welfare of children; amending s. 39.001, F.S.; providing additional purposes of ch. 39, F.S.; revising legislative intent; creating the Office of Child Abuse Prevention within the Executive Office of the Governor; directing the Governor to appoint a director of the office; providing duties and responsibilities of the director; providing procedures for evaluation of child abuse prevention programs; requiring a report to the Governor, Legislature, secretaries of certain state agencies, and certain committees of the Legislature; providing for information to be included in the report; providing for the development and implementation of a state plan for the coordination of child abuse prevention programs and services; establishing a Child Abuse Prevention Advisory Council; providing for membership, duties, and responsibilities; requiring requests for funding to be based on the state plan; providing for review and revision of the state plan; granting rulemaking authority to the Executive Office of the Governor; requiring the Legislature to evaluate the office by a specified date; amending s. 39.0014, F.S.; providing responsibilities of the office under ch. 39, F.S.; amending s. 39.01, F.S.; providing and revising definitions; amending s. 39.202, F.S.; providing access to records for agencies that provide early intervention and prevention services; amending ss. 39.0015, 39.013, and 39.302, F.S.; conforming cross-references and terminology; amending s. 39.701, F.S.; requiring the court to issue an order that is separate from other judicial review orders; amending s. 402.164, F.S.; establishing legislative intent for the statewide and local advocacy councils; revising a definition; amending s. 402.165, F.S.; providing for termination of members of the statewide council; providing guidelines for selection of the executive director of the Florida Statewide Advocacy Council; establishing a process for investigating reports of abuse; revising council meeting requirements; providing requirements for interagency agreements; requiring interagency agreements to be renewed annually and submitted to the Governor by a specified date; providing additional requirements for the statewide council to petition the circuit court for access to certain records; amending s. 409.1451, F.S., relating to independent living transition services; revising eligibility requirements for certain young adults; revising duties of the Department of Children and Family Services regarding independent living transition services; including additional parties in the review of a child's academic performance; requiring the department or a community-based care lead agency under contract with the department to develop a plan for delivery of such services; requiring additional aftercare support services; providing additional qualifications to receive an award under the Road-to-Independence Program; deleting certain time restrictions for submitting applications; providing procedures for the payment of awards; requiring collaboration between certain parties in the development of a plan regarding the provision of transitional services; requiring a community-based care lead agency to develop a plan for purchase and delivery of such services and requiring department approval prior to implementation; requiring the department to submit a report annually to the Legislature on performance, oversight, and rule development; permitting the Independent Living Services Advisory Council to have access to certain data held by the department and certain agencies; amending s. 409.175, F.S.; revising the definition of the term "boarding school" to require such schools to meet certain standards within a specified timeframe; amending s. 409.903, F.S.; providing eligibility criteria for certain persons to qualify for medical assistance payments; creating s. 743.045, F.S.; removing the disability of nonage for certain youth in the legal custody of the Department of Children and Family Services; amending s. 1009.25, F.S.; providing additional criteria for a student to qualify for an exemption from certain tuition and fees; providing a contingent effective date.

Senate Amendment 1 (660866)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 409.1451, Florida Statutes, is amended to read:

409.1451 Independent living transition services.—

(1) SYSTEM OF SERVICES.—

(a) The Department of Children and Family Services, its agents, or community-based providers operating pursuant to s. 409.1671 shall administer a system of independent living transition services to enable older children in foster care and young adults who exit foster care at age 18 to make the transition to self-sufficiency as adults.

(b) The goals of independent living transition services are to assist older children in foster care and young adults who were formerly in foster care to obtain life skills and education for independent living and employment, to have a quality of life appropriate for their age, and to assume personal responsibility for becoming self-sufficient adults.

(c) State funds for foster care or federal funds shall be used to establish a continuum of services for eligible children in foster care and eligible young adults who were formerly in foster care which accomplish the goals for the system of independent living transition services by providing services for foster children, pursuant to subsection (4), and services for young adults who were formerly in foster care, pursuant to subsection (5).

(d) For children in foster care, independent living transition services are not an alternative to adoption. Independent living transition services may occur concurrently with continued efforts to locate and achieve placement in adoptive families for older children in foster care.

(2) ELIGIBILITY.—

(a) The department shall serve children who have reached 13 years of age but are not yet 18 years of age and who are in foster care by providing services pursuant to subsection (4). Children to be served must meet the eligibility requirements set forth for specific services as provided in this section.

(b) The department shall *provide services pursuant to subsection (5) to* ~~serve~~ young adults who have reached 18 years of age but are not yet 23 years of age and who were in foster care when they turned 18 years

of age *or who were adopted from foster care after reaching 16 years of age or, after spending at least 6 months in the custody of the department after reaching 16 years of age, were placed in a guardianship by the court* ~~by providing services pursuant to subsection (5)~~. Young adults *are not entitled* to be served *but* must meet the eligibility requirements set forth for specific services in this section.

(3) PREPARATION FOR INDEPENDENT LIVING.—

(a) It is the intent of the Legislature for the Department of Children and Family Services to assist older children in foster care and young adults who exit foster care at age 18 in making the transition to independent living and self-sufficiency as adults. The department shall provide such children and young adults with opportunities to participate in life skills activities in their foster families and communities which are reasonable and appropriate for their respective ages *or for any special needs they may have*~~,~~ and shall provide them with services to build *life* ~~the~~ skills and increase their ability to live independently and become self-sufficient. To support the provision of opportunities for participation in age-appropriate life skills activities, the department shall:

1. Develop a list of age-appropriate activities and responsibilities to be offered to all children involved in independent living transition services and their foster parents.

2. Provide training for staff and foster parents to address the issues of older children in foster care in transitioning to adulthood, which shall include information on *high school completion, grant applications, vocational school opportunities,* supporting education and employment *opportunities,* and ~~providing~~ opportunities to participate in appropriate daily activities.

3. Develop procedures to maximize the authority of foster parents *or caregivers* to approve participation in age-appropriate activities of children in their care. *The age-appropriate activities shall be included in the child's case plan. This plan must include specific goals and objectives and be reviewed at each judicial review as part of the case plan.*

4. Provide opportunities for older children in foster care to interact with mentors.

5. Develop and implement procedures for older children to directly access and manage the personal allowance they receive from the department in order to learn responsibility and participate in age-appropriate life skills activities to the extent feasible.

6. Make a good faith effort to fully explain, prior to execution of any signature, if required, any document, report, form, or other record, whether written or electronic, presented to a child or young adult and allow for the recipient to ask any appropriate questions necessary to fully understand the document. It shall be the responsibility of the person presenting the document to the child or young adult to comply with this subparagraph.

(b) It is further the intent of the Legislature that each child in foster care, his or her foster parents, if applicable, and the department or community-based provider set early achievement and career goals for the child's postsecondary educational and work experience. The department and community-based providers shall implement the model set forth in this paragraph to help ensure that children in foster care are ready for postsecondary education and the workplace.

1. *For* children in foster care *who have reached 13 years of age,* ~~entering the 9th grade, their foster parents, and~~ the department or community-based provider shall *ensure that the child's case plan includes an educational and career path* ~~be active participants in choosing a post-high school goal~~ based upon both the abilities and interests of each child. The *child, the foster parents, and a teacher or other school staff member shall be included to the fullest extent possible in developing the path. The path shall be reviewed at each judicial hearing as part of the case plan and* ~~goal~~ shall accommodate the needs of children served in exceptional education programs to the extent appropriate for each individual. Such children may continue to follow the courses outlined in the district school board student progression plan. Children in foster care, with the assistance of their foster parents, and the department or community-based provider shall choose one of the following postsecondary goals:

a. Attending a 4-year college or university, a community college plus university, or a military academy;

b. Receiving a 2-year postsecondary degree;

c. Attaining a postsecondary career and technical certificate or credential; or

d. Beginning immediate employment*, including apprenticeship,* after completion of a high school diploma or its equivalent, or enlisting in the military.

2. In order to assist the child in foster care in achieving his or her chosen goal, the department or community-based provider shall, with the participation of the child and foster parents, identify:

a. The core courses necessary to qualify for a chosen goal.

b. Any elective courses which would provide additional help in reaching a chosen goal.

c. The grade point requirement and any additional information necessary to achieve a specific goal.

d. A teacher, other school staff member, employee of the department or community-based care provider, or community volunteer who would be willing to work with the child as an academic advocate or mentor if foster parent involvement is insufficient or unavailable.

3. In order to complement educational goals, the department and community-based providers are encouraged to form partnerships with the business community to support internships, apprenticeships, or other work-related opportunities.

4. The department and community-based providers shall ensure that children in foster care and their foster parents are made aware of the postsecondary goals available and shall assist in identifying the coursework necessary to enable the child to reach the chosen goal.

(c) All children in foster care and young adults formerly in foster care are encouraged to take part in learning opportunities that result from participation in community service activities.

(d) Children in foster care and young adults formerly in foster care shall be provided with the opportunity to change from one postsecondary goal to another, and each postsecondary goal shall allow for changes in each individual's needs and preferences. Any change, particularly a change that will result in additional time required to achieve a goal, shall be made with the guidance and assistance of the department or community-based provider.

(4) SERVICES FOR CHILDREN IN FOSTER CARE.—The department shall provide the following transition to independence services to children in foster care who meet prescribed conditions and are determined eligible by the department. The service categories available to children in foster care which facilitate successful transition into adulthood are:

(a) Preindependent living services.—

1. Preindependent living services include, but are not limited to, life skills training, educational field trips, and conferences. The specific services to be provided to a child shall be determined using a preindependent living assessment.

2. A child who has reached 13 years of age but is not yet 15 years of age who is in foster care is eligible for such services.

3. The department shall conduct an annual staffing for each child who has reached 13 years of age but is not yet 15 years of age to ensure that the preindependent living training and services to be provided as determined by the preindependent living assessment are being received and to evaluate the progress of the child in developing the needed independent living skills.

4. At the first annual staffing that occurs following a child's 14th birthday, and at each subsequent staffing, the department *or community-based provider* shall *ensure that the child's case plan includes an educational and career path based upon both the abilities and interests*

of each child and shall provide to each child detailed *personalized* information on services provided by the Road-to-Independence ~~Scholarship~~ Program, including requirements for eligibility; on other grants, scholarships, and waivers that are available and should be sought by the child with assistance from the department, including, but not limited to, the Bright Futures Scholarship Program, as provided in ss. 1009.53-1009.538; on application deadlines; and on grade requirements for such programs.

5. Information related to both the preindependent living assessment and all staffings, which shall be reduced to writing and signed by the child participant, shall be included as a part of the written report required to be provided to the court at each judicial review held pursuant to s. 39.701.

(b) Life skills services.—

1. Life skills services may include, but are not limited to, independent living skills training, including training to develop *financial literacy* ~~banking and budgeting~~ skills, interviewing skills, parenting skills, *and time management or organizational skills,* educational support, employment training, and counseling. Children receiving these services should also be provided with information related to social security insurance benefits and public assistance. The specific services to be provided to a child shall be determined using an independent life skills assessment.

2. A child who has reached 15 years of age but is not yet 18 years of age who is in foster care is eligible for such services.

3. The department shall conduct a staffing at least once every 6 months for each child who has reached 15 years of age but is not yet 18 years of age to ensure that the appropriate independent living training and services as determined by the independent life skills assessment are being received and to evaluate the progress of the child in developing the needed independent living skills.

4. The department shall provide to each child in foster care *no later than* ~~during~~ the calendar month following the child's 17th birthday an independent living assessment to determine the child's skills and abilities to live independently and become self-sufficient. ~~Based on the results of the independent living assessment, services and training shall be provided in order for the child to develop the necessary skills and abilities prior to the child's 18th birthday.~~

5. The department or community-based care provider shall work with the child in developing a joint transition plan that is consistent with the needs assessment described in subparagraph 4. The transition plan must identify the specific services needed to support the child's own efforts to achieve independence and must include specific tasks that the child must complete or maintain in order to achieve independence. The plan shall be incorporated into the child's case plan and reviewed at the first judicial review after the child's 17th birthday.

6.~~5.~~ Information related to both the independent life skills assessment and all staffings, which shall be reduced to writing and signed by the child participant, shall be included as a part of the written report required to be provided to the court at each judicial review held pursuant to s. 39.701.

(c) Subsidized independent living services.—

1. Subsidized independent living services are living arrangements that allow the child to live independently of the daily care and supervision of an adult in a setting that is not required to be licensed under s. 409.175.

2. A child who has reached 16 years of age but is not yet 18 years of age is eligible for such services if he or she:

a. Is adjudicated dependent under chapter 39; has been placed in licensed out-of-home care for at least 6 months prior to entering subsidized independent living; and has a permanency goal of adoption, independent living, or long-term licensed care; and

b. Is able to demonstrate independent living skills, as determined by the department, using established procedures and assessments.

3. Independent living arrangements established for a child must be part of an overall plan leading to the total independence of the child from the department's supervision. The plan must include, but need not be limited to, a description of the skills of the child and a plan for learning additional identified skills; the behavior that the child has exhibited which indicates an ability to be responsible and a plan for developing additional responsibilities, as appropriate; a plan for future educational, vocational, and training skills; present financial and budgeting capabilities and a plan for improving resources and ability; a description of the proposed residence; documentation that the child understands the specific consequences of his or her conduct in the independent living program; documentation of proposed services to be provided by the department and other agencies, including the type of service and the nature and frequency of contact; and a plan for maintaining or developing relationships with the family, other adults, friends, and the community, as appropriate.

4. Subsidy payments in an amount established by the department may be made directly to a child under the direct supervision of a caseworker or other responsible adult approved by the department.

(5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—Based on the availability of funds, the department shall provide or arrange for the following services to young adults formerly in foster care who meet the prescribed conditions and are determined eligible by the department. *The department, or a community-based care lead agency when the agency is under contract with the department to provide the services described under this subsection, shall develop a plan to implement those services. A plan shall be developed for each community-based care service area in the state. Each plan that is developed by a community-based care lead agency shall be submitted to the department. Each plan shall include the number of young adults to be served each month of the fiscal year and specify the number of young adults who will reach 18 years of age who will be eligible for the plan and the number of young adults who will reach 23 years of age and will be ineligible for the plan or who are otherwise ineligible during each month of the fiscal year; staffing requirements and all related costs to administer the services and program; expenditures to or on behalf of the eligible recipients; costs of services provided to young adults through an approved plan for housing, transportation, and employment; reconciliation of these expenses and any additional related costs with the funds allocated for these services; and an explanation of and a plan to resolve any shortages or surpluses in order to end the fiscal year with a balanced budget.* The categories of services available to assist a young adult formerly in foster care to achieve independence are:

(a) Aftercare support services.—

1. Aftercare support services are available to assist young adults who were formerly in foster care in their efforts to continue to develop the skills and abilities necessary for independent living. The aftercare support services available include, but are not limited to, the following:

a. Mentoring and tutoring.

b. Mental health services and substance abuse counseling.

c. Life skills classes, including credit management and preventive health activities.

d. Parenting classes.

e. Job *and career* skills training.

f. Counselor consultations.

g. Temporary financial assistance.

h. Financial literacy skills training.

The specific services to be provided under this subparagraph shall be determined by an aftercare services assessment and may be provided by the department or through referrals in the community.

2. Temporary assistance provided to prevent homelessness shall be provided as expeditiously as possible and within the limitations defined by the department.

3.~~2.~~ A young adult who has reached 18 years of age but is not yet 23 years of age who leaves foster care at 18 years of age but who requests services prior to reaching 23 years of age is eligible for such services.

(b) Road-to-Independence ~~Scholarship~~ Program.—

1. The Road-to-Independence ~~Scholarship~~ Program is intended to help eligible students who are former foster children in this state to receive the educational and vocational training needed to achieve independence. The amount of the award shall be based on the living and educational needs of the young adult and may be up to, but may not exceed, the amount of earnings that the student would have been eligible to earn working a 40-hour-a-week federal minimum wage job.

2. A young adult who has reached 18 years of age but is not yet 21 years of age is eligible for the initial award, and a young adult under 23 years of age is eligible for renewal awards, if he or she:

a. Was a dependent child, under chapter 39, and was living in licensed foster care or in subsidized independent living at the time of his or her 18th birthday *or is currently in licensed foster care or subsidized independent living, was adopted from foster care after reaching 16 years of age, or, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court*;

b. Spent at least 6 months living in foster care before reaching his or her 18th birthday;

c. Is a resident of this state as defined in s. 1009.40; and

d. Meets one of the following qualifications:

(I) Has earned a standard high school diploma or its equivalent as described in s. 1003.43 or s. 1003.435, or has earned a special diploma or special certificate of completion as described in s. 1003.438, and has been admitted for full-time enrollment in an eligible postsecondary education institution as defined in s. 1009.533;

(II) Is enrolled full time in an accredited high school; or

(III) Is enrolled full time in an accredited adult education program designed to provide the student with a high school diploma or its equivalent.

3. A young adult applying for *the* ~~a~~ Road-to-Independence *Program* ~~Scholarship~~ must apply for any other grants and scholarships for which he or she may qualify. The department shall assist the young adult in the application process and may use the federal financial aid grant process to determine the funding needs of the young adult.

4. *An award shall be available to a young adult who is considered a full-time student or its equivalent by the educational institution in which he or she is enrolled, unless that young adult has a recognized disability preventing full-time attendance.* The amount of the award, whether it is being used by a young adult working toward completion of a high school diploma or its equivalent or working toward completion of a postsecondary education program, shall be determined based on an assessment of the funding needs of the young adult. This assessment must consider the young adult's living and educational costs and other grants, scholarships, waivers, earnings, and other income to be received by the young adult. An award shall be available only to the extent that other grants and scholarships are not sufficient to meet the living and educational needs of the young adult, but an award may not be less than $25 in order to maintain Medicaid eligibility for the young adult as provided in s. 409.903.

5. The amount of the award may be disregarded for purposes of determining the eligibility for, or the amount of, any other federal or federally supported assistance.

6.~~5.~~a. The department must advertise the *criteria, application procedures, and* availability of the program *to:*

(I) Children and young adults in, leaving, or formerly in foster care.

(II) Case managers.

(III) Guidance and family services counselors.

(IV) Principals or other relevant school administrators.

(V) Guardians ad litem.

(VI) Foster parents. ~~and must ensure that the children and young adults leaving foster care, foster parents, or family services counselors are informed of the availability of the program and the application procedures.~~

~~b. A young adult must apply for the initial award during the 6 months immediately preceding his or her 18th birthday, and the department shall provide assistance with the application process. A young adult who fails to make an initial application, but who otherwise meets the criteria for an initial award, may make one application for the initial award if the application is made before the young adult's 21st birthday. If the young adult does not apply for an initial award before his or her 18th birthday, the department shall inform that young adult of the opportunity to apply before turning 21 years of age.~~

b.~~c.~~ ~~If funding for the program is available,~~ The department shall issue awards from the ~~scholarship~~ program for each young adult who meets all the requirements of the program *to the extent funding is available*.

c.~~d.~~ An award shall be issued at the time the eligible student reaches 18 years of age.

d.~~e.~~ A young adult who is eligible for the Road-to-Independence Program*, transitional support services, or aftercare services* and who so desires shall be allowed to reside with the licensed foster family or group care provider with whom he or she was residing at the time of attaining his or her 18th birthday or to reside in another licensed foster home or with a group care provider arranged by the department.

e.~~f.~~ If the award recipient transfers from one eligible institution to another and continues to meet eligibility requirements, the award must be transferred with the recipient.

f.~~g.~~ ~~Scholarship~~ Funds awarded to any eligible young adult under this program are in addition to any other services *or funds* provided to the young adult by the department through *transitional support services or aftercare services* ~~its independent living transition services~~.

g.~~h.~~ The department shall provide information concerning young adults receiving *funding through* the Road-to-Independence *Program* ~~Scholarship~~ to the Department of Education for inclusion in the student financial assistance database, as provided in s. 1009.94.

h.~~i.~~ ~~Scholarship~~ Funds are intended to help eligible *young adults* ~~students~~ who are former foster children in this state to receive the educational and vocational training needed to become independent and self-supporting. The funds shall be terminated when the young adult has attained one of four postsecondary goals under subsection (3) or reaches 23 years of age, whichever occurs earlier. In order to initiate postsecondary education, to allow for a change in career goal, or to obtain additional skills in the same educational or vocational area, a young adult may earn no more than two diplomas, certificates, or credentials. A young adult attaining an associate of arts or associate of science degree shall be permitted to work toward completion of a bachelor of arts or a bachelor of science degree or an equivalent undergraduate degree. Road-to-Independence *Program* ~~Scholarship~~ funds may not be used for education or training after a young adult has attained a bachelor of arts or a bachelor of science degree or an equivalent undergraduate degree.

i.~~j.~~ The department shall evaluate and renew each award annually during the 90-day period before the young adult's birthday. In order to be eligible for a renewal award for the subsequent year, the young adult must:

(I) Complete the number of hours, or the equivalent considered full time by the educational institution, *unless that young adult has a recognized disability preventing full-time attendance,* in the last academic year in which the young adult earned *an award* ~~a scholarship~~, except for a young adult who meets the requirements of s. 1009.41.

(II) Maintain appropriate progress as required by the educational institution, except that, if the young adult's progress is insufficient to renew the *award* ~~scholarship~~ at any time during the eligibility period, the young adult may restore eligibility by improving his or her progress to the required level.

j.~~k.~~ ~~Scholarship~~ Funds may be terminated during the interim between an award and the evaluation for a renewal award if the department determines that the award recipient is no longer enrolled in an

educational institution as defined in sub-subparagraph 2.d., or is no longer a state resident. The department shall notify a *recipient* ~~student~~ who is terminated and inform the *recipient* ~~student~~ of his or her right to appeal.

k.~~l.~~ An award recipient who does not qualify for a renewal award or who chooses not to renew the award may subsequently apply for reinstatement. An application for reinstatement must be made before the young adult reaches 23 years of age, and a student may not apply for reinstatement more than once. In order to be eligible for reinstatement, the young adult must meet the eligibility criteria and the criteria for award renewal for the ~~scholarship~~ program.

(c) Transitional support services.—

1. In addition to any services provided through aftercare support or the Road-to-Independence *Program* ~~Scholarship~~, a young adult formerly in foster care may receive other appropriate short-term *funding and* services, which may include financial, housing, counseling, employment, education, mental health, disability, and other services, if the young adult demonstrates that the services are critical to the young adult's own efforts to achieve self-sufficiency and to develop a personal support system.

2. A young adult formerly in foster care is eligible to apply for transitional support services if he or she has reached 18 years of age but is not yet 23 years of age, was a dependent child pursuant to chapter 39, was living in licensed foster care or in subsidized independent living at the time of his or her 18th birthday, and had spent at least 6 months living in foster care before that date.

3. If at any time the services are no longer critical to the young adult's own efforts to achieve self-sufficiency and to develop a personal support system, they shall be terminated.

(d) Payment of aftercare, *Road-to-Independence Program* ~~scholarship~~, or transitional support funds.—

1. Payment of aftercare, *Road-to-Independence Program* ~~scholarship~~, or transitional support funds shall be made directly to the recipient unless the recipient requests in writing to the community-based care lead agency, or the department, that the payments or a portion of the payments be made directly on the recipient's behalf in order to secure services such as housing, counseling, education, or employment training as part of the young adult's own efforts to achieve self-sufficiency.

2. After the completion of aftercare support services that satisfy the requirements of sub-subparagraph (a)1.h., payment of awards under the Road-to-Independence Program shall be made by direct deposit to the recipient, unless the recipient requests in writing to the community-based care lead agency or the department that:

a. The payments be made directly to the recipient by check or warrant;

b. The payments or a portion of the payments be made directly on the recipient's behalf to institutions the recipient is attending to maintain eligibility under this section; or

c. The payments be made on a two-party check to a business or landlord for a legitimate expense, whether reimbursed or not. A legitimate expense for the purposes of this sub-subparagraph shall include automobile repair or maintenance expenses; educational, job, or training expenses; and costs incurred, except legal costs, fines, or penalties, when applying for or executing a rental agreement for the purposes of securing a home or residence.

3. The community-based care lead agency may purchase housing, transportation, or employment services to ensure the availability and affordability of specific transitional services thereby allowing an eligible young adult to utilize these services in lieu of receiving a direct payment. Prior to purchasing such services, the community-based care lead agency must have a plan approved by the department describing the services to be purchased, the rationale for purchasing the services, and a specific range of expenses for each service that is less than the cost of purchasing the service by an individual young adult. The plan must include a description of the transition of a young adult using these services into independence and a timeframe for achievement of independence. An eligible young adult who prefers a direct payment shall receive such payment. The plan must be reviewed annually and evaluated for cost-efficiency and for effectiveness in assisting young adults in achieving independence, preventing homelessness among young adults, and enabling young adults to earn a living wage in a permanent employment situation.

4. The young adult who resides with a foster family may not be included as a child in calculating any licensing restriction on the number of children in the foster home.

(e) Appeals process.—

1. The Department of Children and Family Services shall adopt by rule a procedure by which a young adult may appeal an eligibility determination or the department's failure to provide aftercare, *Road-to-Independence Program* ~~scholarship~~, or transitional support services, or the termination of such services, if such funds are available.

2. The procedure developed by the department must be readily available to young adults, must provide timely decisions, and must provide for an appeal to the Secretary of Children and Family Services. The decision of the secretary constitutes final agency action and is reviewable by the court as provided in s. 120.68.

(6) ACCOUNTABILITY.—The department shall develop outcome measures for the program and other performance measures *in order to maintain oversight of the program. The department shall report on the outcome measures and the department's oversight activities in a report to the Legislature. The report must be prepared and submitted to the committees of jurisdiction for issues relating to children and families in the Senate and House of Representatives no later than January 31 of each year. The report must include:*

(a) An analysis of performance on outcome measures developed under this section and reported for each community-based care lead agency and compared with the performance of the department on the same measures;

(b) A description of the department's oversight of the program including, by lead agency, any programmatic or fiscal deficiencies found, corrective actions required, and current status of compliance; and

(c) Any rules adopted or proposed under the authority of this section since the last report. For the purposes of the first report, any rules adopted or proposed under the authority of this section must be included.

(7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The Secretary of Children and Family Services shall establish the Independent Living Services Advisory Council for the purpose of reviewing and making recommendations concerning the implementation and operation of the independent living transition services. This advisory council shall continue to function as specified in this subsection until the Legislature determines that the advisory council can no longer provide a valuable contribution to the department's efforts to achieve the goals of the independent living transition services.

(a) Specifically, the advisory council shall assess the implementation and operation of the system of independent living transition services and advise the department on actions that would improve the ability of the independent living transition services to meet the established goals. The advisory council shall keep the department informed of problems being experienced with the services, barriers to the effective and efficient integration of services and support across systems, and successes that the system of independent living transition services has achieved. The department shall consider, but is not required to implement, the recommendations of the advisory council.

(b) The advisory council shall report to the appropriate substantive committees of the Senate and the House of Representatives on the status of the implementation of the system of independent living transition services; efforts to publicize the availability of aftercare support services, the Road-to-Independence ~~Scholarship~~ Program, and transitional support services; ~~specific barriers to financial aid created by the scholarship and possible solutions;~~ the success of the services; problems identified; recommendations for department or legislative action; and the department's implementation of the recommendations contained in the Independent Living Services Integration Workgroup Report submitted to the Senate and the House substantive committees December 31, 2002. This advisory council report shall be submitted by December 31 of each year that the council is in existence and shall be accompanied by a report from the department which identifies the recommendations of the advisory council and either describes the department's actions to implement

these recommendations or provides the department's rationale for not implementing the recommendations.

(c) Members of the advisory council shall be appointed by the secretary of the department. The membership of the advisory council must include, at a minimum, representatives from the headquarters and district offices of the Department of Children and Family Services, community-based care lead agencies, the Agency for Workforce Innovation, the Department of Education, the Agency for Health Care Administration, the State Youth Advisory Board, Workforce Florida, Inc., the Statewide Guardian Ad Litem Office, foster parents, *recipients of Road-to-Independence Program funding,* and advocates for foster children. The secretary shall determine the length of the term to be served by each member appointed to the advisory council, which may not exceed 4 years.

(d) The Department of Children and Family Services shall provide administrative support to the Independent Living Services Advisory Council to accomplish its assigned tasks. The advisory council shall be afforded access to all appropriate data from the department, each community-based care lead agency, and other relevant agencies in order to accomplish the tasks set forth in this section. The data collected may not include any information that would identify a specific child or young adult.

(8) PERSONAL PROPERTY.—Property acquired on behalf of clients of this program shall become the personal property of the clients and is not subject to the requirements of chapter 273 relating to state-owned tangible personal property. Such property continues to be subject to applicable federal laws.

(9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—The department shall enroll in the Florida KidCare program, outside the open enrollment period, each young adult who is eligible as described in paragraph (2)(b) and who has not yet reached his or her 19th birthday.

(a) A young adult who was formerly in foster care at the time of his or her 18th birthday and who is 18 years of age but not yet 19, shall pay the premium for the Florida KidCare program as required in s. 409.814.

(b) A young adult who has health insurance coverage from a third party through his or her employer or who is eligible for Medicaid is not eligible for enrollment under this subsection.

(10) RULEMAKING.—The department shall adopt by rule procedures to administer this section, including balancing the goals of normalcy and safety for the youth and providing the caregivers with as much flexibility as possible to enable the youth to participate in normal life experiences. The department shall not adopt rules relating to reductions in ~~scholarship~~ awards. The department shall engage in appropriate planning to prevent, to the extent possible, a reduction in ~~scholarship~~ awards after issuance.

Section 2. Subsection (2) of section 39.013, Florida Statutes, is amended to read:

39.013 Procedures and jurisdiction; right to counsel.—

(2) The circuit court shall have exclusive original jurisdiction of all proceedings under this chapter, of a child voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, or the department, and of the adoption of children whose parental rights have been terminated under this chapter. Jurisdiction attaches when the initial shelter petition, dependency petition, or termination of parental rights petition is filed or when a child is taken into the custody of the department. The circuit court may assume jurisdiction over any such proceeding regardless of whether the child was in the physical custody of both parents, was in the sole legal or physical custody of only one parent, caregiver, or some other person, or was in the physical or legal custody of no person when the event or condition occurred that brought the child to the attention of the court. When the court obtains jurisdiction of any child who has been found to be dependent, the court shall retain jurisdiction, unless relinquished by its order, until the child reaches 18 years of age. However, if a youth petitions the court at any time before his or her 19th birthday requesting the court's continued jurisdiction, the juvenile court may retain jurisdiction under this chapter for a period not to exceed 1 year following the youth's 18th birthday for the purpose of determining whether appropriate aftercare support, Road-to-Independence *Program* ~~Scholarship~~, transitional support, mental health, and developmental disability services, to the extent otherwise authorized by law, have been provided to the formerly dependent child who was in the legal custody of the department immediately before his or her 18th birthday. If a petition for special immigrant juvenile status and an application for adjustment of status have been filed on behalf of a foster child and the petition and application have not been granted by the time the child reaches 18 years of age, the court may retain jurisdiction over the dependency case solely for the purpose of allowing the continued consideration of the petition and application by federal authorities. Review hearings for the child shall be set solely for the purpose of determining the status of the petition and application. The court's jurisdiction terminates upon the final decision of the federal authorities. Retention of jurisdiction in this instance does not affect the services available to a young adult under s. 409.1451. The court may not retain jurisdiction of the case after the immigrant child's 22nd birthday.

Section 3. Paragraph (a) of subsection (6) of section 39.701, Florida Statutes, is amended to read:

39.701 Judicial review.—

(6)(a) In addition to paragraphs (1)(a) and (2)(a), the court shall hold a judicial review hearing within 90 days after a youth's 17th birthday. *The court shall also issue an order, separate from the order on judicial review, that the disabilities of nonage of the youth have been removed pursuant to s. 743.045. The court* ~~and~~ shall continue to hold timely judicial review hearings *thereafter*. In addition, the court may review the status of the child more frequently during the year prior to the youth's 18th birthday if necessary. At each review held under this subsection, in addition to any information or report provided to the court, the foster parent, legal custodian, guardian ad litem, and the child shall be given the opportunity to address the court with any information relevant to the child's best interests, particularly as it relates to independent living transition services. In addition to any information or report provided to the court, the department shall include in its judicial review social study report written verification that the child:

1. Has been provided with a current Medicaid card and has been provided all necessary information concerning the Medicaid program sufficient to prepare the youth to apply for coverage upon reaching age 18, if such application would be appropriate.

2. Has been provided with a certified copy of his or her birth certificate and, if the child does not have a valid driver's license, a Florida identification card issued under s. 322.051.

3. Has been provided information relating to Social Security Insurance benefits if the child is eligible for these benefits. If the child has received these benefits and they are being held in trust for the child, a full accounting of those funds must be provided and the child must be informed about how to access those funds.

4. Has been provided with information and training related to budgeting skills, interviewing skills, and parenting skills.

5. Has been provided with all relevant information related to the Road-to-Independence *Program* ~~Scholarship~~, including, but not limited to, eligibility requirements, forms necessary to apply, and assistance in completing the forms. The child shall also be informed that, if he or she is eligible for the Road-to-Independence ~~Scholarship~~ Program, he or she may reside with the licensed foster family or group care provider with whom the child was residing at the time of attaining his or her 18th birthday or may reside in another licensed foster home or with a group care provider arranged by the department.

6. Has an open bank account, or has identification necessary to open an account, and has been provided with essential banking skills.

7. Has been provided with information on public assistance and how to apply.

8. Has been provided a clear understanding of where he or she will be living on his or her 18th birthday, how living expenses will be paid, and what educational program or school he or she will be enrolled in.

9. Has been provided with notice of the youth's right to petition for the court's continuing jurisdiction for 1 year after the youth's 18th birthday as specified in s. 39.013(2) and with information on how to obtain access to the court.

10. Has been encouraged to attend all judicial review hearings occurring after his or her 17th birthday.

Section 4. Paragraph (c) of subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(2) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides postsecondary career programs, community college, or state university:

(c) A student who the state has determined is eligible for the Road-to-Independence *Program* ~~Scholarship~~, regardless of whether an award is issued or not, or a student who is or was at the time he or she reached 18 years of age in the custody of a relative under s. 39.5085, or who is adopted from the Department of Children and Family Services after May 5, 1997. Such exemption includes fees associated with enrollment in career-preparatory instruction and completion of the college-level communication and computation skills testing program. Such an exemption is available to any student who was in the custody of a relative under s. 39.5085 at the time he or she reached 18 years of age or was adopted from the Department of Children and Family Services after May 5, 1997; however, the exemption remains valid for no more than 4 years after the date of graduation from high school.

Section 5. Section 743.045, Florida Statutes, is created to read:

743.045 Removal of disabilities of minors; executing contracts for a residential lease.—For the sole purpose of ensuring that youth in foster care will be able to execute a contract for the lease of residential property in order that the youth may move into the leased residential property on the day of the youth's 18th birthday, the disability of nonage of minors is removed for all youth who have reached the age of 17 years, who have been adjudicated dependent, and who are in the legal custody of the Department of Children and Family Services through foster care or subsidized independent living. These youth are authorized to make and execute contracts, releases, and all other instruments necessary for the purpose of entering into a contract for the lease of residential property upon the youth's 18th birthday. The contracts or other instruments made by the youth shall have the same effect as though they were the obligations of persons who were not minors. Youth seeking to enter into such lease contracts or execute other necessary instruments that are incidental to entering into a lease must present an order from a court of competent jurisdiction removing the disabilities of nonage of the minor under this section.

Section 6. Subsection (4) of section 409.903, Florida Statutes, is amended to read:

409.903 Mandatory payments for eligible persons.—The agency shall make payments for medical assistance and related services on behalf of the following persons who the department, or the Social Security Administration by contract with the Department of Children and Family Services, determines to be eligible, subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(4) A child who is eligible under Title IV-E of the Social Security Act for subsidized board payments, foster care, or adoption subsidies, and a child for whom the state has assumed temporary or permanent responsibility and who does not qualify for Title IV-E assistance but is in foster care, shelter or emergency shelter care, or subsidized adoption. *This category includes any young adult who is eligible to receive services under s. 409.1451(5), until the young adult reaches the age of 20, without regard to any income, resource, or categorical eligibility test that is otherwise required.* This category *also* includes a *person who, as a* child ~~who~~ was eligible under Title IV-E of the Social Security Act for foster care or the state-provided foster care, ~~who exited foster care due to attaining the age of 18 years,~~ and who *is a participant in the* ~~has been awarded a~~ Road-to-Independence *Program* ~~Scholarship~~.

Section 7. *The sum of $2,802,522 of recurring funds is appropriated from the General Revenue Fund and the sum of $3,994,766 of recurring funds is appropriated from the Medical Care Trust Fund to the Agency for Health Care Administration for the purpose of expanding medical assistance payments to young adults, until the young adult reaches the age of 20, during the 2006-2007 fiscal year.*

Section 8. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; revising eligibility requirements for certain young adults; revising duties of the Department of Children and Family Services regarding independent living transition services; including additional parties in the review of a child's academic performance; requiring the department or a community-based care lead agency under contract with the department to develop a plan for delivery of such services; revising provisions governing life skills services; requiring that the department or provider work with the child to develop a joint transition plan; requiring judicial review of the plan; requiring additional aftercare support services; providing additional qualifications to receive an award under the Road-to-Independence Program; deleting certain time restrictions for submitting applications; providing procedures for the payment of awards; requiring a community-based care lead agency to develop a plan for purchase and delivery of such services and requiring department approval prior to implementation; requiring the department to submit a report annually to the Legislature on performance, oversight, and rule development; permitting the Independent Living Services Advisory Council to have access to certain data held by the department and certain agencies; amending ss. 39.013 and 1009.25, F.S.; conforming references to changes made by the act; amending s. 39.701, F.S.; requiring the court to issue an order, separate from any other judicial review order, that the disabilities of nonage of the youth have been removed from the youth in foster care; creating s. 743.045, F.S.; removing the disability of nonage for certain youth in the legal custody of the Department of Children and Family Services who are in foster care to enable the youth to execute a contract for the lease of residential property in order that the youth may move into the leased residential property on the day of the youth's 18th birthday; providing specified eligibility criteria; providing for the validity of the contracts; requiring the youth to present an order from a court of competent jurisdiction removing the disability of nonage; amending s. 409.903, F.S.; providing eligibility criteria for certain persons for medical assistance payments; providing an appropriation; providing an effective date.

On motion by Senator Rich, the Senate receded from the Senate amendment.

HB 7173 passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 508, with amendment, and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 508—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; redefining the terms "permanent residence" and "temporary residence" in order to reduce the number of

consecutive days and days in the aggregate which constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff's office, or the Department of Corrections; providing an effective date.

House Amendment 1 (165093)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (f) and (g) of subsection (2), paragraph (a) of subsection (7), and paragraph (b) of subsection (10) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.—

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

(f) "Permanent residence" means a place where the person abides, lodges, or resides for *5* ~~14~~ or more consecutive days.

(g) "Temporary residence" means a place where the person abides, lodges, or resides for a period of *5* ~~14~~ or more days in the aggregate during any calendar year and which is not the person's permanent address~~;~~ *or,* for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state~~; or a place where the person routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence, including any out-of-state address~~.

(7) COMMUNITY AND PUBLIC NOTIFICATION.—

(a) Law enforcement agencies must inform members of the community and the public of a sexual predator's presence. Upon notification of the presence of a sexual predator, the sheriff of the county or the chief of police of the municipality where the sexual predator establishes or maintains a permanent or temporary residence shall notify members of the community and the public of the presence of the sexual predator in a manner deemed appropriate by the sheriff or the chief of police. Within 48 hours after receiving notification of the presence of a sexual predator, the sheriff of the county or the chief 3f police of the municipality where the sexual predator temporarily or permanently resides shall notify each licensed day care center, elementary school, middle school, ~~and~~ high school*, and library* within a 1-mile radius of the temporary or permanent residence of the sexual predator of the presence of the sexual predator. Information provided to members of the community and the public regarding a sexual predator must include:

1. The name of the sexual predator;

2. A description of the sexual predator, including a photograph;

3. The sexual predator's current address, including the name of the county or municipality if known;

4. The circumstances of the sexual predator's offense or offenses; and

5. Whether the victim of the sexual predator's offense or offenses was, at the time of the offense, a minor or an adult.

This paragraph does not authorize the release of the name of any victim of the sexual predator.

(10) PENALTIES.—

(b) A sexual predator who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation, of s. 787.01, s. 787.02, or s. 787.025, where the victim is a minor and the defendant is not the victim's parent; s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s. 796.03; s. 800.04; s. 827.071; s. 847.0133; or s. 847.0145, or a violation of a similar law of another jurisdiction, when the victim of the offense was a minor, and who works, whether for compensation or as a volunteer, at any ~~business,~~ school, day care center, park, playground, *library,* or *business or* other place where children regularly congregate, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 775.215, Florida Statutes, is created to read:

775.215 Residency exclusions for sexual offenders or predators; local ordinances preempted.—

(1) The establishment of residency exclusions applicable to the residences of a person required to register as a sexual offender or sexual predator is expressly preempted to the state, and the provisions of ss. 794.065, 947.1405, and 948.30 establishing such exclusions supersede any municipal or county ordinances imposing different exclusions.

(2) A provision of any ordinance adopted by a county or municipality prior to October 1, 2006, imposing residency exclusions for the residences of persons subject to the provisions of s. 794.065, s. 947.1405, or s. 948.30 is hereby repealed and abolished as of October 1, 2006.

Section 3. Subsection (2) of section 775.24, Florida Statutes, is amended to read:

775.24 Duty of the court to uphold laws governing sexual predators and sexual offenders.—

(2) If a person meets the criteria in this chapter for designation as a sexual predator or meets the criteria in s. 943.0435, s. 944.606, s. 944.607, or any other law for classification as a sexual offender, the court may not enter an order, for the purpose of approving a plea agreement or for any other reason, which:

(a) Exempts a person who meets the criteria for designation as a sexual predator or classification as a sexual offender from such designation or classification, ~~or~~ exempts such person from the requirements for registration or community and public notification imposed upon sexual predators and sexual offenders*, or exempts such person from the residency exclusions contained in ss. 794.065, 947.1405, and 948.30*;

(b) Restricts the compiling, reporting, or release of public records information that relates to sexual predators or sexual offenders; or

(c) Prevents any person or entity from performing its duties or operating within its statutorily conferred authority as such duty or authority relates to sexual predators or sexual offenders.

Section 4. Section 794.065, Florida Statutes, is amended to read:

794.065 Unlawful place of residence for persons convicted of certain sex offenses.—

(1)*(a)1.* It is unlawful for any person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,000 feet of any school, day care center, park, or playground.

2. A person who violates this *subsection* ~~section~~ and whose conviction *for an offense listed in subparagraph 1.* ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified as*:*

a. A felony of the first degree or higher*,* commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. ~~A person who violates this section and whose conviction under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was classified as~~

b. A felony of the second or third degree*,* commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b)~~(2)~~ This *subsection* ~~section~~ applies to any person convicted of *an offense listed in subparagraph 1. if the offense occurred* ~~a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 for offenses that occur~~ on or after October 1, 2004.

(2)(a)1. It is unlawful for any person who has been convicted of a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,500 feet of any school, day care center, park, playground, library, or other business or place where children regularly congregate.

2. A person violating this subsection whose conviction of an offense listed in subparagraph 1. was classified as:

a. A felony of the first degree or higher, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

b. A felony of the second or third degree, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) The distances in this subsection shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

(c) This subsection applies to any person convicted of an offense listed in subparagraph (a)1. if the offense occurred on or after October 1, 2006.

Section 5. Effective July 1, 2006, subsections (2) and (6) and paragraph (a) of subsection (7) of section 947.1405, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

947.1405 Conditional release program.—

(2)*(a)* Any inmate who:

1.~~(a)~~ Is convicted of a crime committed on or after October 1, 1988, and before January 1, 1994~~, and any inmate who~~ is convicted of a crime committed on or after January 1, 1994, which crime is or was contained in category 1, category 2, category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure (1993), and who has served at least one prior felony commitment at a state or federal correctional institution *; or is convicted under any of the following statutory provisions committed on or after July 1, 2006:*

a. Kidnapping, under s. 787.01(3)(a)2., 3., 4., or 5.;

b. False imprisonment, under s. 787.02(3)(a)2., 3., 4., or 5.;

c. Sexual performance by a child, under s. 827.071; or

d. Selling or buying of minors, under s. 847.0145 ;

2.~~(b)~~ Is sentenced as a habitual or violent habitual offender or a violent career criminal pursuant to s. 775.084; or

3.~~(c)~~ Is found to be a sexual predator under s. 775.21 or former s. 775.23,

shall, upon reaching the tentative release date or provisional release date, whichever is earlier, as established by the Department of Corrections, be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to s. 948.09. Such supervision shall be applicable to all sentences within the overall term of sentences if an inmate's overall term of sentences includes one or more sentences that are eligible for conditional release supervision as provided herein.

(b) Effective July 1, 1994, and applicable for offenses committed on or after that date, the commission may require, as a condition of conditional release, that the releasee make payment of the debt due and owing to a county or municipal detention facility under s. 951.032 for medical care, treatment, hospitalization, or transportation received by the releasee while in that detention facility. The commission, in determining whether to order such repayment and the amount of such repayment, shall consider the amount of the debt, whether there was any fault of the institution for the medical expenses incurred, the financial resources of the releasee, the present and potential future financial needs and earning ability of the releasee, and dependents, and other appropriate factors.

(c) If any inmate*, other than an inmate required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435,* placed on conditional release supervision is also subject to probation or community control, resulting from a probationary or community control split sentence within the overall term of sentences, the Department of Corrections shall supervise such person according to the conditions imposed by the court and the commission shall defer to such supervision. If the court revokes probation or community control and resentences the offender to a term of incarceration, such revocation also constitutes a sufficient basis for the revocation of the conditional release supervision on any nonprobationary or noncommunity control sentence without further hearing by the commission. If any such supervision on any nonprobationary or noncommunity control sentence is revoked, such revocation may result in a forfeiture of all gain-time, and the commission may revoke the resulting deferred conditional release supervision or take other action it considers appropriate. If the term of conditional release supervision exceeds that of the probation or community control, then, upon expiration of the probation or community control, authority for the supervision shall revert to the commission and the supervision shall be subject to the conditions imposed by the commission.

(d) If any inmate required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 is placed on conditional release supervision is also subject to probation or community control, the period of court-ordered community supervision shall not be substituted for conditional release supervision and shall follow the term of conditional release supervision.

(e) A panel of no fewer than two commissioners shall establish the terms and conditions of any such release. If the offense was a controlled substance violation, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of conditional release supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3). The commission shall also determine whether the terms and conditions of such release have been violated and whether such violation warrants revocation of the conditional release.

(6) The commission shall review the recommendations of the department, and such other information as it deems relevant, and may conduct a review of the inmate's record for the purpose of establishing the terms and conditions of the conditional release. The commission may impose any special conditions it considers warranted from its review of the release plan and recommendation. If the commission determines that the inmate is eligible for release under this section, the commission shall enter an order establishing the length of supervision and the conditions attendant thereto. However, an inmate who has been convicted of a violation of chapter 794 or found by the court to be a sexual predator is subject to the maximum level of supervision provided, with the mandatory conditions as required in subsection (7), and that supervision shall continue through the end of the releasee's original court-imposed sentence. The length of supervision must not exceed the maximum penalty imposed by the court. *The commission may modify the conditions of supervision at any time as warranted in the interest of public safety.*

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The commission may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the commission determines that imposing a curfew would endanger the victim, the commission may consider alternative sanctions.

2.*a.* If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, day care center, park, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004, the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

c. Beginning October 1, 2006, neither the commission nor the department may approve a residence located within 1,500 feet of a school, day care center, park, playground, designated school bus stop, library, or other business or place where children regularly congregate for any releasee who is subject to this subparagraph. The distance provided in this sub-subparagraph shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the releasee's own expense. If a qualified practitioner is not available within a 50-mile radius of the releasee's residence, the offender shall participate in other appropriate therapy.

4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

5. If the victim was under the age of 18, a prohibition against contact with children under the age of 18 without review and approval by the commission. The commission may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The commission may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the commission must review and consider the following:

a. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

(I) The sex offender's current legal status;

(II) The sex offender's history of adult charges with apparent sexual motivation;

(III) The sex offender's history of adult charges without apparent sexual motivation;

(IV) The sex offender's history of juvenile charges, whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;

(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment report as to whether supervised contact with the child should be approved;

c. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The commission may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;

d. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the Department of Corrections before being submitted to the commission; and

e. Evidence that the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The commission may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the commission that he or she has met the requirements of a qualified practitioner as defined in this section.

6. If the victim was under age 18, a prohibition on working for pay or as a volunteer at any school, day care center, park, playground, *library,* or other *business or* place where children regularly congregate, as prescribed by the commission.

7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

8. Effective for a releasee whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

9. A requirement that the releasee must submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA database.

10. A requirement that the releasee make restitution to the victim, as determined by the sentencing court or the commission, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

11. Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(11) Effective for a releasee whose crime was a violation of s. 787.01(3)(a)2., 3., 4., or 5. or s. 787.02(3)(a)2., 3., 4., or 5., who committed the offense on or after October 1, 2006, and who was 18 years of age or older at the time of the offense, in addition to any other provision of this section, the commission must order electronic monitoring for the duration of the releasee's supervision.

Section 6. Effective July 1, 2006, subsection (8) is added to section 947.141, Florida Statutes, to read:

947.141 Violations of conditional release, control release, or conditional medical release or addiction-recovery supervision.—

(8) Because of the compelling state interest in protecting the public from sexual offenders or sexual predators granted the privilege of conditional release, in any hearing alleging a violation of conditional release by a releasee for failure to comply with the residency exclusion in s. 947.1405, the inability of the releasee to locate a residence in compliance

with s. 947.1405 shall not be a defense to the finding of a violation under this section.

Section 7. Subsection (4) of section 948.06, Florida Statutes, is amended to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay restitution or cost of supervision.—

(4) Notwithstanding any other provision of this section, a probationer or an offender in community control who is arrested for violating his or her probation or community control in a material respect may be taken before the court in the county or circuit in which the probationer or offender was arrested. That court shall advise him or her of such charge of a violation and, if such charge is admitted, shall cause him or her to be brought before the court which granted the probation or community control. If such violation is not admitted by the probationer or offender, the court may commit him or her or release him or her with or without bail to await further hearing. However, if the probationer or offender is under supervision for any criminal offense proscribed in chapter 794, s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a registered sexual predator or a registered sexual offender, or is under supervision for a criminal offense for which he or she would meet the registration criteria in s. 775.21, s. 943.0435, or s. 944.607 but for the effective date of those sections, the court must make a finding that the probationer or offender *poses no* ~~is not a~~ danger to the public prior to release with or without bail. In determining *that the offender poses no danger to the public* ~~the danger posed by the offender's or probationer's release~~, the court may consider the nature and circumstances of the violation and any new offenses charged; the offender's or probationer's past and present conduct, including convictions of crimes; any record of arrests without conviction for crimes involving violence or sexual crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender's or probationer's family ties, length of residence in the community, employment history, and mental condition; his or her history and conduct during the probation or community control supervision from which the violation arises and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; *whether the probationer is currently subject to electronic monitoring;* and any other facts the court considers relevant. The court, as soon as is practicable, shall give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. After such hearing, the court shall make findings of fact and forward the findings to the court which granted the probation or community control and to the probationer or offender or his or her attorney. The findings of fact by the hearing court are binding on the court which granted the probation or community control. Upon the probationer or offender being brought before it, the court which granted the probation or community control may revoke, modify, or continue the probation or community control or may place the probationer into community control as provided in this section.

Section 8. Section 948.063, Florida Statutes, is amended to read:

948.063 Violations of probation or community control by designated sexual offenders and sexual predators.—

(1) If probation or community control *for any felony offense* is revoked by the court pursuant to s. 948.06(2)(e) and the offender is *required to register* ~~designated~~ as a ~~sexual offender or~~ sexual predator *under* ~~pursuant to~~ s. 775.21 *or as a sexual offender under s. 943.0435 or s. 944.607* for unlawful sexual activity involving a victim *under 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older, and if the court imposes a subsequent term of supervision following the revocation of probation or community control, the court must order electronic monitoring as a condition of the subsequent term of probation or community control.

(2) If the probationer or offender is required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 for unlawful sexual activity involving a victim under 16 years of age and the probationer or offender is 18 years of age or older and has violated the conditions of his or her probation or community control, but the court does not revoke the probation or community control, the court shall nevertheless modify the probation or community control to include electronic monitoring for any probationer or offender not then subject to electronic monitoring.

Section 9. Effective September 1, 2006, paragraph (b) of subsection (1) and subsection (3) of section 948.30, Florida Statutes, are amended, and subsection (4) is added to that section, to read:

948.30 Additional terms and conditions of probation or community control for certain sex offenses.—Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:

(b)*1. Except as provided in subparagraph 2.,* if the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children *regularly* congregate. The distance may not be measured by a pedestrian route or automobile route.

2. For probationers or community controllees whose crime was committed on or after October 1, 2006, if the victim was under the age of 18, a prohibition on living within 1,500 feet of a school, day care center, park, playground, library, or other business or place where children regularly congregate, as prescribed by the court. This distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

(3) Effective for a probationer or community controllee whose *felony offense* ~~crime~~ was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *under 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *under 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older, the court must order, in addition to any other provision of this section,mandatory electronic monitoring as a condition of the probation or community control supervision.

(4) Effective for a probationer or community controllee whose felony offense was committed on or after September 1, 2006, and who:

(a) Is placed on probation or community control for a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 years of age and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 years of age and the offender is 18 years of age or older, the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

Section 10. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; redefining the terms "permanent residence" and "temporary residence" in order to reduce the number of consecutive days and days in the aggregate that

constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff's office, or the Department of Corrections; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing penalties; creating s. 775.215, F.S.; specifying residency exclusions for sexual offenders or sexual predators; preempting and repealing certain local ordinances; amending s. 775.24, F.S.; revising provisions relating to residency exclusions for sexual predators and sexual offenders; amending s. 794.065, F.S.; providing additional residency restrictions on certain offenders; providing penalties; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; amending s. 947.141, F.S.; revising provisions relating to hearings alleging a violation of community release by specified releasees for failure to comply with specified residency exclusions; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.063, F.S.; revising provisions relating to violations of probation or community control by designated sexual offenders and sexual predators; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing effective dates.

Senator Aronberg moved the following amendment which was adopted:

Senate Amendment 1 (910998) (with directory and title amendments) to House Amendment 1—Lines 23-609, delete those lines and insert:

Section 2. Section 948.063, Florida Statutes, is amended to read:

948.063 Violations of probation or community control by designated sexual offenders and sexual predators.—

(1) If probation or community control *for any felony offense* is revoked by the court pursuant to s. 948.06(2)(e) and the offender is designated as a sexual offender *pursuant to s. 943.0435 or s. 944.607* or *as a* sexual predator pursuant to s. 775.21 for unlawful sexual activity involving a victim 15 years of age or younger and the offender is 18 years of age or older, and if the court imposes a subsequent term of supervision following the revocation of probation or community control, the court must order electronic monitoring as a condition of the subsequent term of probation or community control.

(2) If the probationer or offender is required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 or s. 944.607 for unlawful sexual activity involving a victim 15 years of age or younger and the probationer or offender is 18 years of age or older and has violated the conditions of his or her probation or community control, but the court does not revoke the probation or community control, the court shall nevertheless modify the probation or community control to include electronic monitoring for any probationer or offender not then subject to electronic monitoring.

Section 3. This act shall take effect July 1, 2006.

And the directory clause is amended as follows:

Lines 6 and 7, delete those lines and insert: of section 775.21, Florida Statutes, are amended to read:

And the title is amended as follows:

Lines 621-645, delete those lines and insert: or the Department of Corrections; amending s. 948.063, F.S.; revising provisions relating to violations of probation or community control by designated sexual offenders and sexual predators; providing an effective date.

On motion by Senator Aronberg, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for SB 508 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker
Bennett	Geller	Posey
Campbell	Haridopolos	Pruitt
Carlton	Hill	Rich
Clary	Jones	Saunders
Constantine	King	Sebesta
Crist	Klein	Siplin
Dawson	Lawson	Smith
Diaz de la Portilla	Lynn	Villalobos
Dockery	Margolis	Webster
Fasano	Miller	Wilson
Garcia	Peaden	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1528, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 1528—A bill to be entitled An act relating to environmental protection; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; providing that certain counties are encouraged to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for a litter survey; deleting the provisions relating to the Wildflower Advisory Council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Wildflower Foundation, Inc.; specifying uses of the proceeds; requiring that such proceeds be distributed to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting certain obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting certain obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; providing that industrial byproducts are not regulated under certain circumstances; conforming a cross-reference; clarifying certain provisions governing dredged material; amending s. 403.7061, F.S.; authorizing the Department of Environmental Protection to initiate rulemaking regarding waste-to-energy facilities; amending s. 403.707, F.S.; clarifying the Department of Environmental Preservation's permit authority; deleting certain obsolete provisions; extending the time period for a public hearing when a local government seeks to exempt certain material from the definition of construction and demolition debris; providing that upon the transfer of ownership or control of a solid waste facility that facility may not operate until the permit is transferred by the Department of Environmental Protection or consent is given to operate by the current permitholder; creating s. 403.7071, F.S.; providing for the management and disposal of storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying certain provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees; amending s. 403.7095, F.S., relating to the solid waste management grant program; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law and clarifying certain financial-disclosure provisions; amending s. 403.716, F.S.; deleting certain provisions relating to the training of certain facility operators; amending s. 403.717, F.S.; clarifying the provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; amending s. 403.7226, F.S.; deleting a provision requiring a report that is duplicative of other reports; amending s. 403.724, F.S.; clarifying certain financial-assurance provisions; amending s. 403.7255, F.S.; providing additional requirements regarding the public notification of certain contaminated sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending

s. 403.7265, F.S.; deleting provisions relating to the development of a statewide local hazardous waste management plan; requiring a local government to provide matching funds for certain grants; providing that matching funds are not required under certain conditions; repealing s. 403.7075, F.S., relating to the submission of certain plans for solid waste management facilities; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and 403.7895, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

House Amendment 1 (007133)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 199.1055, Florida Statutes, is amended to read:

199.1055 Contaminated site rehabilitation tax credit.—

(1) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(a) A credit in the amount of *50* ~~35~~ percent of the costs of voluntary cleanup activity that is integral to site rehabilitation at the following sites is available against any tax due for a taxable year under s. 199.032, less any credit allowed by former s. 220.68 for that year:

1. A drycleaning-solvent-contaminated site eligible for state-funded site rehabilitation under s. 376.3078(3);

2. A drycleaning-solvent-contaminated site at which cleanup is undertaken by the real property owner pursuant to s. 376.3078(11), if the real property owner is not also, and has never been, the owner or operator of the drycleaning facility where the contamination exists; or

3. A brownfield site in a designated brownfield area under s. 376.80.

(b) A tax credit applicant, or multiple tax credit applicants working jointly to clean up a single site, may not be granted more than *$500,000* ~~$250,000~~ per year in tax credits for each site voluntarily rehabilitated. Multiple tax credit applicants shall be granted tax credits in the same proportion as their contribution to payment of cleanup costs. Subject to the same conditions and limitations as provided in this section, a municipality, county, or other tax credit applicant which voluntarily rehabilitates a site may receive not more than *$500,000* ~~$250,000~~ per year in tax credits which it can subsequently transfer subject to the provisions in paragraph (g).

(c) If the credit granted under this section is not fully used in any one year because of insufficient tax liability on the part of the tax credit applicant, the unused amount may be carried forward for a period not to exceed 5 years. Five years after the date a credit is granted under this section, such credit expires and may not be used. However, if during the 5-year period the credit is transferred, in whole or in part, pursuant to paragraph (g), each transferee has 5 years after the date of transfer to use its credit.

(d) A taxpayer that receives a credit under s. 220.1845 is ineligible to receive credit under this section in a given tax year.

(e) A tax credit applicant that receives state-funded site rehabilitation pursuant to s. 376.3078(3) for rehabilitation of a drycleaning-solvent-contaminated site is ineligible to receive credit under this section for costs incurred by the tax credit applicant in conjunction with the rehabilitation of that site during the same time period that state-administered site rehabilitation was underway.

(f) The total amount of the tax credits which may be granted under this section and s. 220.1845 is *$5* ~~$2~~ million annually.

(g)1. Tax credits that may be available under this section to an entity eligible under s. 376.30781 may be transferred after a merger or acquisition to the surviving or acquiring entity and used in the same manner with the same limitations.

2. The entity or its surviving or acquiring entity as described in subparagraph 1., may transfer any unused credit in whole or in units of no less than 25 percent of the remaining credit. The entity acquiring such credit may use it in the same manner and with the same limitation as described in this section. Such transferred credits may not be transferred again although they may succeed to a surviving or acquiring entity subject to the same conditions and limitations as described in this section.

3. In the event the credit provided for under this section is reduced either as a result of a determination by the Department of Environmental Protection or an examination or audit by the Department of Revenue, such tax deficiency shall be recovered from the first entity, or the surviving or acquiring entity, to have claimed such credit up to the amount of credit taken. Any subsequent deficiencies shall be assessed against any entity acquiring and claiming such credit, or in the case of multiple succeeding entities in the order of credit succession.

(h) In order to encourage completion of site rehabilitation at contaminated sites being voluntarily cleaned up and eligible for a tax credit under this section, the tax credit applicant may claim an additional *25* ~~10~~ percent of the total cleanup costs, not to exceed *$500,000* ~~$50,000~~, in the final year of cleanup as evidenced by the Department of Environmental Protection issuing a "No Further Action" order for that site.

(i) In order to encourage the construction of housing that meets the definition of affordable provided in s. 420.0004(3), an applicant for the tax credit may claim an additional 25 percent of the total site-rehabilitation costs that are eligible for tax credits under this section, not to exceed $500,000. In order to receive this additional tax credit, the applicant must provide a certification letter from the Florida Housing Finance Corporation, the local housing authority, or other governmental agency that is a party to the use agreement, indicating that the construction on the brownfield site is complete, the brownfield site has received a certificate of occupancy, and the brownfield site has a properly recorded instrument that limits the use of the property to housing that meets the definition of affordable provided in s. 420.0004(3).

(2) FILING REQUIREMENTS.—Any taxpayer that wishes to obtain credit under this section must submit with its return a tax credit certificate approving partial tax credits issued by the Department of Environmental Protection under s. 376.30781.

(3) ADMINISTRATION; AUDIT AUTHORITY; TAX CREDIT FORFEITURE.—

(a) The Department of Revenue may adopt rules to prescribe any necessary forms required to claim a tax credit under this section and to provide the administrative guidelines and procedures required to administer this section.

(b) In addition to its existing audit and investigation authority relating to chapters 199 and 220, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, or records of the tax credit applicant, which are necessary to verify the site rehabilitation costs included in a tax credit return and to ensure compliance with this section. The Department of Environmental Protection shall provide technical assistance, when requested by the Department of Revenue, on any technical audits performed under this section.

(c) It is grounds for forfeiture of previously claimed and received tax credits if the Department of Revenue determines, as a result of either an audit or information received from the Department of Environmental Protection, that a taxpayer received tax credits under this section to which the taxpayer was not entitled. In the case of fraud, the taxpayer shall be prohibited from claiming any future tax credits under this section or s. 220.1845.

1. The taxpayer is responsible for returning forfeited tax credits to the Department of Revenue, and such funds shall be paid into the General Revenue Fund of the state.

2. The taxpayer shall file with the Department of Revenue an amended tax return or such other report as the Department of Revenue prescribes by rule and shall pay any required tax within 60 days after the taxpayer receives notification from the Department of Environmental Protection pursuant to s. 376.30781 that previously approved tax credits have been revoked or modified, if uncontested, or within 60 days after a final order is issued following proceedings involving a contested revocation or modification order.

3. A notice of deficiency may be issued by the Department of Revenue at any time within 5 years after the date the taxpayer receives notification from the Department of Environmental Protection pursuant to s.

376.30781 that previously approved tax credits have been revoked or modified. If a taxpayer fails to notify the Department of Revenue of any change in its tax credit claimed, a notice of deficiency may be issued at any time. In either case, the amount of any proposed assessment set forth in such notice of deficiency shall be limited to the amount of any deficiency resulting under this section from the recomputation of the taxpayer's tax for the taxable year.

4. Any taxpayer that fails to report and timely pay any tax due as a result of the forfeiture of its tax credit is in violation of this section and is subject to applicable penalty and interest.

Section 2. Section 220.1845, Florida Statutes, is amended to read:

220.1845 Contaminated site rehabilitation tax credit.—

(1) AUTHORIZATION FOR TAX CREDIT; LIMITATIONS.—

(a) A credit in the amount of *50* ~~35~~ percent of the costs of voluntary cleanup activity that is integral to site rehabilitation at the following sites is available against any tax due for a taxable year under this chapter:

1. A drycleaning-solvent-contaminated site eligible for state-funded site rehabilitation under s. 376.3078(3);

2. A drycleaning-solvent-contaminated site at which cleanup is undertaken by the real property owner pursuant to s. 376.3078(11), if the real property owner is not also, and has never been, the owner or operator of the drycleaning facility where the contamination exists; or

3. A brownfield site in a designated brownfield area under s. 376.80.

(b) A tax credit applicant, or multiple tax credit applicants working jointly to clean up a single site, may not be granted more than *$500,000* ~~$250,000~~ per year in tax credits for each site voluntarily rehabilitated. Multiple tax credit applicants shall be granted tax credits in the same proportion as their contribution to payment of cleanup costs. Subject to the same conditions and limitations as provided in this section, a municipality, county, or other tax credit applicant which voluntarily rehabilitates a site may receive not more than *$500,000* ~~$250,000~~ per year in tax credits which it can subsequently transfer subject to the provisions in paragraph (h).

(c) If the credit granted under this section is not fully used in any one year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for that year exceeds the credit for which the corporation is eligible in that year under this section after applying the other credits and unused carryovers in the order provided by s. 220.02(8). Five years after the date a credit is granted under this section, such credit expires and may not be used. However, if during the 5-year period the credit is transferred, in whole or in part, pursuant to paragraph (h), each transferee has 5 years after the date of transfer to use its credit.

(d) A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group.

(e) A taxpayer that receives credit under s. 199.1055 is ineligible to receive credit under this section in a given tax year.

(f) A tax credit applicant that receives state-funded site rehabilitation under s. 376.3078(3) for rehabilitation of a drycleaning-solvent-contaminated site is ineligible to receive credit under this section for costs incurred by the tax credit applicant in conjunction with the rehabilitation of that site during the same time period that state-administered site rehabilitation was underway.

(g) The total amount of the tax credits which may be granted under this section and s. 199.1055 is *$5* ~~$2~~ million annually.

(h)1. Tax credits that may be available under this section to an entity eligible under s. 376.30781 may be transferred after a merger or acquisition to the surviving or acquiring entity and used in the same manner and with the same limitations.

2. The entity or its surviving or acquiring entity as described in subparagraph 1., may transfer any unused credit in whole or in units of no less than 25 percent of the remaining credit. The entity acquiring such credit may use it in the same manner and with the same limitation as described in this section. Such transferred credits may not be transferred again although they may succeed to a surviving or acquiring entity subject to the same conditions and limitations as described in this section.

3. In the event the credit provided for under this section is reduced either as a result of a determination by the Department of Environmental Protection or an examination or audit by the Department of Revenue, such tax deficiency shall be recovered from the first entity, or the surviving or acquiring entity, to have claimed such credit up to the amount of credit taken. Any subsequent deficiencies shall be assessed against any entity acquiring and claiming such credit, or in the case of multiple succeeding entities in the order of credit succession.

(i) In order to encourage completion of site rehabilitation at contaminated sites being voluntarily cleaned up and eligible for a tax credit under this section, the tax credit applicant may claim an additional *25* ~~10~~ percent of the total cleanup costs, not to exceed *$500,000* ~~$50,000~~, in the final year of cleanup as evidenced by the Department of Environmental Protection issuing a "No Further Action" order for that site.

(j) In order to encourage the construction of housing that meets the definition of affordable provided in s. 420.0004(3), an applicant for the tax credit may claim an additional 25 percent of the total site-rehabilitation costs that are eligible for tax credits under this section, not to exceed $500,000. In order to receive this additional tax credit, the applicant must provide a certification letter from the Florida Housing Finance Corporation, the local housing authority, or other governmental agency that is a party to the use agreement, indicating that the construction on the brownfield site is complete, the brownfield site has received a certificate of occupancy, and the brownfield site has a properly recorded instrument that limits the use of the property to housing that meets the definition of affordable provided in s. 420.0004(3).

(2) FILING REQUIREMENTS.—Any corporation that wishes to obtain credit under this section must submit with its return a tax credit certificate approving partial tax credits issued by the Department of Environmental Protection under s. 376.30781.

(3) ADMINISTRATION; AUDIT AUTHORITY; TAX CREDIT FORFEITURE.—

(a) The Department of Revenue may adopt rules to prescribe any necessary forms required to claim a tax credit under this section and to provide the administrative guidelines and procedures required to administer this section.

(b) In addition to its existing audit and investigation authority relating to chapter 199 and this chapter, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, or records of the tax credit applicant, which are necessary to verify the site rehabilitation costs included in a tax credit return and to ensure compliance with this section. The Department of Environmental Protection shall provide technical assistance, when requested by the Department of Revenue, on any technical audits performed pursuant to this section.

(c) It is grounds for forfeiture of previously claimed and received tax credits if the Department of Revenue determines, as a result of either an audit or information received from the Department of Environmental Protection, that a taxpayer received tax credits pursuant to this section to which the taxpayer was not entitled. In the case of fraud, the taxpayer shall be prohibited from claiming any future tax credits under this section or s. 199.1055.

1. The taxpayer is responsible for returning forfeited tax credits to the Department of Revenue, and such funds shall be paid into the General Revenue Fund of the state.

2. The taxpayer shall file with the Department of Revenue an amended tax return or such other report as the Department of Revenue prescribes by rule and shall pay any required tax within 60 days after the taxpayer receives notification from the Department of Environmental Protection pursuant to s. 376.30781 that previously approved tax credits have been revoked or modified, if uncontested, or within 60 days

after a final order is issued following proceedings involving a contested revocation or modification order.

3. A notice of deficiency may be issued by the Department of Revenue at any time within 5 years after the date the taxpayer receives notification from the Department of Environmental Protection pursuant to s. 376.30781 that previously approved tax credits have been revoked or modified. If a taxpayer fails to notify the Department of Revenue of any change in its tax credit claimed, a notice of deficiency may be issued at any time. In either case, the amount of any proposed assessment set forth in such notice of deficiency shall be limited to the amount of any deficiency resulting under this section from the recomputation of the taxpayer's tax for the taxable year.

4. Any taxpayer that fails to report and timely pay any tax due as a result of the forfeiture of its tax credit is in violation of this section and is subject to applicable penalty and interest.

Section 3. Section 376.30781, Florida Statutes, is amended to read:

376.30781 Partial tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.—

(1) The Legislature finds that:

(a) To facilitate property transactions and economic growth and development, it is in the interest of the state to encourage the cleanup, at the earliest possible time, of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas.

(b) It is the intent of the Legislature to encourage the voluntary cleanup of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas by providing a partial tax credit for the restoration of such property in specified circumstances.

(2) Notwithstanding the requirements of subsection (5), tax credits allowed pursuant to ss. 199.1055 and 220.1845 are available for any site rehabilitation conducted during the calendar year in which the applicable voluntary cleanup agreement or brownfield site rehabilitation agreement is executed, even if the site rehabilitation is conducted prior to the execution of that agreement or the designation of the brownfield area.

(3)~~(2)~~(a) A credit in the amount of *50* ~~35~~ percent of the costs of voluntary cleanup activity that is integral to site rehabilitation at the following sites is allowed pursuant to ss. 199.1055 and 220.1845:

1. A drycleaning-solvent-contaminated site eligible for state-funded site rehabilitation under s. 376.3078(3);

2. A drycleaning-solvent-contaminated site at which cleanup is undertaken by the real property owner pursuant to s. 376.3078(11), if the real property owner is not also, and has never been, the owner or operator of the drycleaning facility where the contamination exists; or

3. A brownfield site in a designated brownfield area under s. 376.80.

(b) A tax credit applicant, or multiple tax credit applicants working jointly to clean up a single site, may not be granted more than *$500,000* ~~$250,000~~ per year in tax credits for each site voluntarily rehabilitated. Multiple tax credit applicants shall be granted tax credits in the same proportion as their contribution to payment of cleanup costs. Tax credits are available only for site rehabilitation conducted during the calendar year for which the tax credit application is submitted.

(c) In order to encourage completion of site rehabilitation at contaminated sites that are being voluntarily cleaned up and that are eligible for a tax credit under this section, the tax credit applicant may claim an additional *25* ~~10~~ percent of the total cleanup costs, not to exceed *$500,000* ~~$50,000~~, in the final year of cleanup as evidenced by the Department of Environmental Protection issuing a "No Further Action" order for that site.

(d) In order to encourage the construction of housing that meets the definition of affordable provided in s. 420.0004(3), an applicant for the tax credit may claim an additional 25 percent of the total site-rehabilitation costs that are eligible for tax credits under this section, not to exceed $500,000. In order to receive this additional tax credit, the applicant must provide a certification letter from the Florida Housing Finance Corporation, the local housing authority, or other governmental agency that is a party to the use agreement, indicating that the construction on the brownfield site is complete, the brownfield site has received a certificate of occupancy, and the brownfield site has a properly recorded instrument that limits the use of the property to housing that meets the definition of affordable provided in s. 420.0004(3). Notwithstanding the limitation that only one application shall be submitted each year for each site, an application for the additional credit provided for in this paragraph shall be submitted as soon as all requirements to obtain this additional tax credit have been met.

(e) Notwithstanding the restrictions in this section that limit tax credit eligibility to costs that are integral to site rehabilitation, to encourage the redevelopment of properties in designated brownfield areas that are hindered by the presence of solid waste, as defined in s. 403.703, a tax credit applicant may also claim costs to address the solid waste, but only those costs to remove, transport, and dispose of solid waste in accordance with department rules. These costs are eligible for a tax credit provided the applicant submits an affidavit stating that, after consultation with appropriate local government officials and the department, to the best of the applicant's knowledge, the site was never operated as a landfill or dump site for monetary compensation, and submits all other documentation and certifications required by this section. In this section, where reference is made to "site rehabilitation," the department shall instead consider whether the costs claimed are for removal, transportation, and disposal of solid waste. Tax credit applications claiming costs pursuant to this paragraph shall not be subject to the calendar-year limitation and January 15 annual application deadline, and the department shall accept a one-time application filed subsequent to the completion by the tax credit applicant of the applicable requirements listed in this paragraph.

(4)~~(3)~~ The Department of Environmental Protection shall be responsible for allocating the tax credits provided for in ss. 199.1055 and 220.1845, not to exceed a total of *$5* ~~$2~~ million in tax credits annually.

(5)~~(4)~~ To claim the credit for site rehabilitation conducted during the current calendar year, each tax credit applicant must apply to the Department of Environmental Protection for an allocation of the *$5* ~~$2~~ million annual credit by January 15 of the following year on a form developed by the Department of Environmental Protection in cooperation with the Department of Revenue. The form shall include an affidavit from each tax credit applicant certifying that all information contained in the application, including all records of costs incurred and claimed in the tax credit application, are true and correct. If the application is submitted pursuant to subparagraph *(3)*~~(2)~~(a)2., the form must include an affidavit signed by the real property owner stating that it is not, and has never been, the owner or operator of the drycleaning facility where the contamination exists. Approval of partial tax credits must be accomplished on a first-come, first-served basis based upon the date complete applications are received by the Division of Waste Management. A tax credit applicant shall submit only one complete application per site for each calendar year's site rehabilitation costs. Incomplete placeholder applications shall not be accepted and will not secure a place in the first-come, first-served application line. To be eligible for a tax credit, the tax credit applicant must:

(a) Have entered into a voluntary cleanup agreement with the Department of Environmental Protection for a drycleaning-solvent-contaminated site or a Brownfield Site Rehabilitation Agreement, as applicable; and

(b) Have paid all deductibles pursuant to s. 376.3078(3)(e) for eligible drycleaning-solvent-cleanup program sites.

(6)~~(5)~~ To obtain the tax credit certificate, a tax credit applicant must annually file an application for certification, which must be received by the Division of Waste Management of the Department of Environmental Protection by January 15 of the year following the calendar year for which site rehabilitation costs are being claimed in a tax credit application. The tax credit applicant must provide all pertinent information requested on the tax credit application form, including, at a minimum, the name and address of the tax credit applicant and the address and tracking identification number of the eligible site. Along with the tax credit application form, the tax credit applicant must submit the following:

(a) A nonrefundable review fee of $250 made payable to the Water Quality Assurance Trust Fund to cover the administrative costs associated with the department's review of the tax credit application;

(b) Copies of contracts and documentation of contract negotiations, accounts, invoices, sales tickets, or other payment records from purchases, sales, leases, or other transactions involving actual costs incurred for that tax year related to site rehabilitation, as that term is defined in ss. 376.301 and 376.79;

(c) Proof that the documentation submitted pursuant to paragraph (b) has been reviewed and verified by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants. Specifically, the certified public accountant must attest to the accuracy and validity of the costs incurred and paid by conducting an independent review of the data presented by the tax credit applicant. Accuracy and validity of costs incurred and paid would be determined once the level of effort was certified by an appropriate professional registered in this state in each contributing technical discipline. The certified public accountant's report would also attest that the costs included in the application form are not duplicated within the application. A copy of the accountant's report shall be submitted to the Department of Environmental Protection with the tax credit application; and

(d) A certification form stating that site rehabilitation activities associated with the documentation submitted pursuant to paragraph (b) have been conducted under the observation of, and related technical documents have been signed and sealed by, an appropriate professional registered in this state in each contributing technical discipline. The certification form shall be signed and sealed by the appropriate registered professionals stating that the costs incurred were integral, necessary, and required for site rehabilitation, as that term is defined in ss. 376.301 and 376.79.

(7)~~(6)~~ The certified public accountant and appropriate registered professionals submitting forms as part of a tax credit application must verify such forms. Verification must be accomplished as provided in s. 92.525(1)(b) and subject to the provisions of s. 92.525(3).

(8)~~(7)~~ The Department of Environmental Protection shall review the tax credit application and any supplemental documentation that the tax credit applicant may submit prior to the annual application deadline in order to have the application considered complete, for the purpose of verifying that the tax credit applicant has met the qualifying criteria in subsections *(3)*~~(2)~~ and *(5)*~~(4)~~ and has submitted all required documentation listed in subsection *(6)*~~(5)~~. Upon verification that the tax credit applicant has met these requirements, the department shall issue a written decision granting eligibility for partial tax credits (a tax credit certificate) in the amount of *50* ~~35~~ percent of the total costs claimed, subject to the *$500,000* ~~$250,000~~ limitation, for the calendar year for which the tax credit application is submitted based on the report of the certified public accountant and the certifications from the appropriate registered technical professionals.

(9)~~(8)~~ On or before March 1, the Department of Environmental Protection shall inform each eligible tax credit applicant of the amount of its partial tax credit and provide each eligible tax credit applicant with a tax credit certificate that must be submitted with its tax return to the Department of Revenue to claim the tax credit or be transferred pursuant to s. 199.1055(1)(g) or s. 220.1845(1)(h). Credits will not result in the payment of refunds if total credits exceed the amount of tax owed.

(10)~~(9)~~ If a tax credit applicant does not receive a tax credit allocation due to an exhaustion of the *$5* ~~$2~~ million annual tax credit authorization, such application will then be included in the same first-come, first-served order in the next year's annual tax credit allocation, if any, based on the prior year application.

(11)~~(10)~~ The Department of Environmental Protection may adopt rules to prescribe the necessary forms required to claim tax credits under this section and to provide the administrative guidelines and procedures required to administer this section.

(12)~~(11)~~ The Department of Environmental Protection may revoke or modify any written decision granting eligibility for partial tax credits under this section if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive partial tax credits under this section. The Department of Environmental Protection shall immediately notify the Department of Revenue of any revoked or modified orders affecting previously granted partial tax credits. Additionally, the tax credit applicant must notify the Department of Revenue of any change in its tax credit claimed.

(13)~~(12)~~ A tax credit applicant who receives state-funded site rehabilitation under s. 376.3078(3) for rehabilitation of a drycleaning-solvent-contaminated site is ineligible to receive a tax credit under s. 199.1055 or s. 220.1845 for costs incurred by the tax credit applicant in conjunction with the rehabilitation of that site during the same time period that state-administered site rehabilitation was underway.

Section 4. Subsections (15) and (16) of section 196.012, Florida Statutes, are amended to read:

196.012 Definitions.—For the purpose of this chapter, the following terms are defined as follows, except where the context clearly indicates otherwise:

(15) "New business" means:

(a)1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this state, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant;

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this state, the sales factor of which, as defined by s. 220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; or

3. An office space in this state owned and used by a corporation newly domiciled in this state; provided such office space houses 50 or more full-time employees of such corporation; provided that such business or office first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(b) Any business located in an enterprise zone *or brownfield area* that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(c) A business that is situated on property annexed into a municipality and that, at the time of the annexation, is receiving an economic development ad valorem tax exemption from the county under s. 196.1995.

(16) "Expansion of an existing business" means:

(a)1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this state, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this state, the sales factor of which, as defined by s. 220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; provided that such business increases operations on a site colocated with a commercial or industrial operation owned by the same business, resulting in a net increase in employment of not less than 10 percent or an increase in productive output of not less than 10 percent.

(b) Any business located in an enterprise zone *or brownfield area* that increases operations on a site colocated with a commercial or industrial operation owned by the same business.

Section 5. Section 196.1995, Florida Statutes, is amended to read:

196.1995 Economic development ad valorem tax exemption.—

(1) The board of county commissioners of any county or the governing authority of any municipality shall call a referendum within its total jurisdiction to determine whether its respective jurisdiction may grant economic development ad valorem tax exemptions under s. 3, Art. VII of the State Constitution if:

(a) The board of county commissioners of the county or the governing authority of the municipality votes to hold such referendum; or

(b) The board of county commissioners of the county or the governing authority of the municipality receives a petition signed by 10 percent of the registered electors of its respective jurisdiction, which petition calls for the holding of such referendum.

(2) The ballot question in such referendum shall be in substantially the following form:

Shall the board of county commissioners of this county (or the governing authority of this municipality, or both) be authorized to grant, pursuant to s. 3, Art. VII of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses?

____ Yes—For authority to grant exemptions.

____ No—Against authority to grant exemptions.

(3) The board of county commissioners or the governing authority of the municipality *that* ~~which~~ calls a referendum within its total jurisdiction to determine whether its respective jurisdiction may grant economic development ad valorem tax exemptions may vote to limit the effect of the referendum to authority to grant economic development tax exemptions for new businesses and expansions of existing businesses located in an enterprise zone *or a brownfield area, as defined in s. 376.79(4). If* ~~In the event that~~ an area nominated to be an enterprise zone pursuant to s. 290.0055 has not yet been designated pursuant to s. 290.0065, the board of county commissioners or the governing authority of the municipality may call such referendum prior to such designation; however, the authority to grant economic development ad valorem tax exemptions *does* ~~will~~ not apply until such area is designated pursuant to s. 290.0065. The ballot question in such referendum shall be in substantially the following form and shall be used in lieu of the ballot question prescribed in subsection (2):

Shall the board of county commissioners of this county (or the governing authority of this municipality, or both) be authorized to grant, pursuant to s. 3, Art. VII of the State Constitution, property tax exemptions for new businesses and expansions of existing businesses which are located in an enterprise zone *or a brownfield area*?

_____Yes—For authority to grant exemptions.

_____No—Against authority to grant exemptions.

(4) A referendum pursuant to this section may be called only once in any 12-month period.

(5) Upon a majority vote in favor of such authority, the board of county commissioners or the governing authority of the municipality, at its discretion, by ordinance may exempt from ad valorem taxation up to 100 percent of the assessed value of all improvements to real property made by or for the use of a new business and of all tangible personal property of such new business, or up to 100 percent of the assessed value of all added improvements to real property made to facilitate the expansion of an existing business and of the net increase in all tangible personal property acquired to facilitate such expansion of an existing business, provided that the improvements to real property are made or the tangible personal property is added or increased on or after the day the ordinance is adopted. However, if the authority to grant exemptions is approved in a referendum in which the ballot question contained in subsection (3) appears on the ballot, the authority of the board of county commissioners or the governing authority of the municipality to grant exemptions is limited solely to new businesses and expansions of existing businesses *that* ~~which~~ are located in an enterprise zone *or brownfield area*. Property acquired to replace existing property shall not be considered to facilitate a business expansion. The exemption applies only to taxes levied by the respective unit of government granting the exemption. The exemption does not apply, however, to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to s. 9(b) or s. 12, Art. VII of the State Constitution. Any such exemption shall remain in effect for up to 10 years with respect to any particular facility, regardless of any change in the authority of the county or municipality to grant such exemptions. The exemption shall not be prolonged or extended by granting exemptions from additional taxes or by virtue of any reorganization or sale of the business receiving the exemption.

(6) With respect to a new business as defined by s. 196.012(15)(c), the municipality annexing the property on which the business is situated may grant an economic development ad valorem tax exemption under this section to that business for a period that will expire upon the expiration of the exemption granted by the county. If the county renews the exemption under subsection (7), the municipality may also extend its exemption. A municipal economic development ad valorem tax exemption granted under this subsection may not extend beyond the duration of the county exemption.

(7) The authority to grant exemptions under this section will expire 10 years after the date such authority was approved in an election, but such authority may be renewed for another 10-year period in a referendum called and held pursuant to this section.

(8) Any person, firm, or corporation which desires an economic development ad valorem tax exemption shall, in the year the exemption is desired to take effect, file a written application on a form prescribed by the department with the board of county commissioners or the governing authority of the municipality, or both. The application shall request the adoption of an ordinance granting the applicant an exemption pursuant to this section and shall include the following information:

(a) The name and location of the new business or the expansion of an existing business;

(b) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements;

(c) A description of the tangible personal property for which an exemption is requested and the dates when such property was or is to be purchased;

(d) Proof, to the satisfaction of the board of county commissioners or the governing authority of the municipality, that the applicant is a new business or an expansion of an existing business, as defined in s. 196.012(15) or (16); and

(e) Other information deemed necessary by the department.

(9) Before it takes action on the application, the board of county commissioners or the governing authority of the municipality shall deliver a copy of the application to the property appraiser of the county. After careful consideration, the property appraiser shall report the following information to the board of county commissioners or the governing authority of the municipality:

(a) The total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources, or an estimate of such revenue if the actual total revenue available cannot be determined;

(b) Any revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section, or an estimate of such revenue if the actual revenue lost cannot be determined;

(c) An estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation; and

(d) A determination as to whether the property for which an exemption is requested is to be incorporated into a new business or the expansion of an existing business, as defined in s. 196.012(15) or (16), or into neither, which determination the property appraiser shall also affix to the face of the application. Upon the request of the property appraiser, the department shall provide to him or her such information as it may have available to assist in making such determination.

(10) An ordinance granting an exemption under this section shall be adopted in the same manner as any other ordinance of the county or municipality and shall include the following:

(a) The name and address of the new business or expansion of an existing business to which the exemption is granted;

(b) The total amount of revenue available to the county or municipality from ad valorem tax sources for the current fiscal year, the total amount of revenue lost to the county or municipality for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect, and the estimated revenue loss to the county or

municipality for the current fiscal year attributable to the exemption of the business named in the ordinance;

(c) The period of time for which the exemption will remain in effect and the expiration date of the exemption; and

(d) A finding that the business named in the ordinance meets the requirements of s. 196.012(15) or (16).

Section 6. Subsection (2) of section 288.9015, Florida Statutes, is amended to read:

288.9015 Enterprise Florida, Inc.; purpose; duties.—

(2) It shall be the responsibility of Enterprise Florida, Inc., to aggressively market Florida's rural communities, distressed urban communities, *brownfields,* and enterprise zones as locations for potential new investment, to aggressively assist in the retention and expansion of existing businesses in these communities, and to aggressively assist these communities in the identification and development of new economic development opportunities for job creation, fully marketing state incentive programs such as the Qualified Target Industry Tax Refund Program under s. 288.106 and the Quick Action Closing Fund under s. 288.1088 in economically distressed areas.

Section 7. Section 376.80, Florida Statutes, is amended to read:

376.80 Brownfield program administration process.—

(1) A local government with jurisdiction over the brownfield area must notify the department of its decision to designate a brownfield area for rehabilitation for the purposes of ss. 376.77-376.85. The notification must include a resolution, by the local government body, to which is attached a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. If a property owner within the area proposed for designation by the local government requests in writing to have his or her property removed from the proposed designation, the local government shall grant the request. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. 166.041, except that the notice for the public hearings on the proposed resolution must be in the form established in s. 166.041(3)(c)2. For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. 125.66, except that the notice for the public hearings on the proposed resolution shall be in the form established in s. 125.66(4)(b)2.

(2)(a) If a local government proposes to designate a brownfield area that is outside community redevelopment areas, enterprise zones, empowerment zones, closed military bases, or designated brownfield pilot project areas, the local government must conduct at least one public hearing in the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns. Notice of the public hearing must be made in a newspaper of general circulation in the area and the notice must be at least 16 square inches in size, must be in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing. In determining the areas to be designated, the local government must consider:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;

2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;

3. Whether the area has potential to interest the private sector in participating in rehabilitation; and

4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

(b) A local government shall designate a brownfield area under the provisions of this act provided that:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site;

2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least *5* ~~10~~ new permanent jobs at the brownfield site~~, whether full-time or part-time,~~ which are *full-time equivalent positions* not associated with the implementation of the brownfield site rehabilitation agreement and *which* are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment agreement required under paragraph (5)(i). *However, the job-creation requirement shall not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004(3) or the creation of recreational areas, conservation areas, or parks*;

3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permittable use under the applicable local land development regulations;

4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated, and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subsection must be made in a newspaper of general circulation in the area, at least 16 square inches in size, and the notice must be posted in the affected area; and

5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan.

(c) The designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the department or approved local pollution control program.

(3) When there is a person responsible for brownfield site rehabilitation, the local government must notify the department of the identity of that person. If the agency or person who will be responsible for the coordination changes during the approval process specified in subsections (4), (5), and (6), the department or the affected approved local pollution control program must notify the affected local government when the change occurs.

(4) Local governments or persons responsible for rehabilitation and redevelopment of brownfield areas must establish an advisory committee or use an existing advisory committee that has formally expressed its intent to address redevelopment of the specific brownfield area for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. Such advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. The person responsible for brownfield site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement, and provide the committee with a copy of the draft plan for site rehabilitation which addresses elements required by subsection (5). This includes disclosing potential reuse of the property as well as site rehabilitation activities, if any, to be performed. The advisory committee shall review the proposed redevelopment agreement required pursuant to paragraph (5)(i) and provide comments, if appropriate, to the board of the local government with jurisdiction over the brownfield area. The advisory committee must receive a copy of the executed brownfield site rehabilitation agreement. When the person responsible for brownfield site rehabilitation submits a site assessment report or the technical document containing the proposed course of action following site assessment to the department or the local pollution control program for review, the person responsible for brownfield site rehabilitation must hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

(5) The person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement with the department or an approved local pollution control program if actual contamina-

tion exists at the brownfield site. The brownfield site rehabilitation agreement must include:

(a) A brownfield site rehabilitation schedule, including milestones for completion of site rehabilitation tasks and submittal of technical reports and rehabilitation plans as agreed upon by the parties to the agreement;

(b) A commitment to conduct site rehabilitation activities under the observation of professional engineers or geologists who are registered in accordance with the requirements of chapter 471 or chapter 492, respectively. Submittals provided by the person responsible for brownfield site rehabilitation must be signed and sealed by a professional engineer registered under chapter 471, or a professional geologist registered under chapter 492, certifying that the submittal and associated work comply with the law and rules of the department and those governing the profession. In addition, upon completion of the approved remedial action, the department shall require a professional engineer registered under chapter 471 or a professional geologist registered under chapter 492 to certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the department;

(c) A commitment to conduct site rehabilitation in accordance with department quality assurance rules;

(d) A commitment to conduct site rehabilitation consistent with state, federal, and local laws and consistent with the brownfield site contamination cleanup criteria in s. 376.81, including any applicable requirements for risk-based corrective action;

(e) Timeframes for the department's review of technical reports and plans submitted in accordance with the agreement. The department shall make every effort to adhere to established agency goals for reasonable timeframes for review of such documents;

(f) A commitment to secure site access for the department or approved local pollution control program to all brownfield sites within the eligible brownfield area for activities associated with site rehabilitation;

(g) Other provisions that the person responsible for brownfield site rehabilitation and the department agree upon, that are consistent with ss. 376.77-376.85, and that will improve or enhance the brownfield site rehabilitation process;

(h) A commitment to consider appropriate pollution prevention measures and to implement those that the person responsible for brownfield site rehabilitation determines are reasonable and cost-effective, taking into account the ultimate use or uses of the brownfield site. Such measures may include improved inventory or production controls and procedures for preventing loss, spills, and leaks of hazardous waste and materials, and include goals for the reduction of releases of toxic materials; and

(i) Certification that an agreement exists between the person responsible for brownfield site rehabilitation and the local government with jurisdiction over the brownfield area. Such agreement shall contain terms for the redevelopment of the brownfield area.

(6) Any contractor performing site rehabilitation program tasks must demonstrate to the department that the contractor:

(a) Meets all certification and license requirements imposed by law; and

(b) Has obtained the necessary approvals for conducting sample collection and analyses pursuant to department rules.

(7) The contractor who is performing the majority of the site rehabilitation program tasks pursuant to a brownfield site rehabilitation agreement or supervising the performance of such tasks by licensed subcontractors in accordance with the provisions of s. 489.113(9) must certify to the department that the contractor:

(a) Complies with applicable OSHA regulations.

(b) Maintains workers' compensation insurance for all employees as required by the Florida Workers' Compensation Law.

(c) Maintains comprehensive general liability coverage with limits of not less than $1 million per occurrence and $2 million general aggregate for bodily injury and property damage and comprehensive automobile liability coverage with limits of not less than $2 million combined single limit. The contractor shall also maintain pollution liability coverage with limits of not less than $3 million aggregate for personal injury or death, $1 million per occurrence for personal injury or death, and $1 million per occurrence for property damage. The contractor's certificate of insurance shall name the state as an additional insured party.

(d) Maintains professional liability insurance of at least $1 million per claim and $1 million annual aggregate.

(8) Any professional engineer or geologist providing professional services relating to site rehabilitation program tasks must carry professional liability insurance with a coverage limit of at least $1 million.

(9) During the cleanup process, if the department or local program fails to complete review of a technical document within the timeframe specified in the brownfield site rehabilitation agreement, the person responsible for brownfield site rehabilitation may proceed to the next site rehabilitation task. However, the person responsible for brownfield site rehabilitation does so at its own risk and may be required by the department or local program to complete additional work on a previous task. Exceptions to this subsection include requests for "no further action," "monitoring only proposals," and feasibility studies, which must be approved prior to implementation.

(10) If the person responsible for brownfield site rehabilitation fails to comply with the brownfield site rehabilitation agreement, the department shall allow 90 days for the person responsible for brownfield site rehabilitation to return to compliance with the provision at issue or to negotiate a modification to the brownfield site rehabilitation agreement with the department for good cause shown. If an imminent hazard exists, the 90-day grace period shall not apply. If the project is not returned to compliance with the brownfield site rehabilitation agreement and a modification cannot be negotiated, the immunity provisions of s. 376.82 are revoked.

(11) The department is specifically authorized and encouraged to enter into delegation agreements with local pollution control programs approved under s. 403.182 to administer the brownfield program within their jurisdictions, thereby maximizing the integration of this process with the other local development processes needed to facilitate redevelopment of a brownfield area. When determining whether a delegation pursuant to this subsection of all or part of the brownfields program to a local pollution control program is appropriate, the department shall consider the following. The local pollution control program must:

(a) Have and maintain the administrative organization, staff, and financial and other resources to effectively and efficiently implement and enforce the statutory requirements of the delegated brownfields program; and

(b) Provide for the enforcement of the requirements of the delegated brownfields program, and for notice and a right to challenge governmental action, by appropriate administrative and judicial process, which shall be specified in the delegation.

The local pollution control program shall not be delegated authority to take action on or to make decisions regarding any brownfield site on land owned by the local government. Any delegation agreement entered into pursuant to this subsection shall contain such terms and conditions necessary to ensure the effective and efficient administration and enforcement of the statutory requirements of the brownfields program as established by the act and the relevant rules and other criteria of the department.

(12) Local governments are encouraged to use the full range of economic and tax incentives available to facilitate and promote the rehabilitation of brownfield areas, to help eliminate the public health and environmental hazards, and to promote the creation of jobs and economic development in these previously run-down, blighted, and underutilized areas.

Section 8. Subsection (1) of section 376.86, Florida Statutes, is amended to read:

376.86 Brownfield Areas Loan Guarantee Program.—

(1) The Brownfield Areas Loan Guarantee Council is created to review and approve or deny by a majority vote of its membership, the situations and circumstances for participation in partnerships by agreements with local governments, financial institutions, and others associated with the redevelopment of brownfield areas pursuant to the Brownfields Redevelopment Act for a limited state guaranty of up to 5 years of loan guarantees or loan loss reserves issued pursuant to law. The limited state loan guaranty applies only to *50* ~~10~~ percent of the primary lenders loans for redevelopment projects in brownfield areas. *If the redevelopment project is for affordable housing, as defined in s. 420.0004(3), in a brownfield area, the limited state loan guaranty applies to 75 percent of the primary lender's loan.* A limited state guaranty of private loans or a loan loss reserve is authorized for lenders licensed to operate in the state upon a determination by the council that such an arrangement would be in the public interest and the likelihood of the success of the loan is great.

Section 9. *Sections 376.87 and 376.875, Florida Statutes, are repealed.*

Section 10. Paragraph (f) of subsection (2) of section 14.2015, Florida Statutes, is amended to read:

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

(2) The purpose of the Office of Tourism, Trade, and Economic Development is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to provide economic opportunities for all Floridians. To accomplish such purposes, the Office of Tourism, Trade, and Economic Development shall:

(f)1. Administer the Florida Enterprise Zone Act under ss. 290.001-290.016, the community contribution tax credit program under ss. 220.183 and 624.5105, the tax refund program for qualified target industry businesses under s. 288.106, the tax-refund program for qualified defense contractors under s. 288.1045, contracts for transportation projects under s. 288.063, the sports franchise facility program under s. 288.1162, the professional golf hall of fame facility program under s. 288.1168, the expedited permitting process under s. 403.973, the Rural Community Development Revolving Loan Fund under s. 288.065, the Regional Rural Development Grants Program under s. 288.018, the Certified Capital Company Act under s. 288.99, the Florida State Rural Development Council, the Rural Economic Development Initiative, and other programs that are specifically assigned to the office by law, by the appropriations process, or by the Governor. Notwithstanding any other provisions of law, the office may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund ~~and the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund~~ to contract for the administration of the programs, or portions of the programs, enumerated in this paragraph or assigned to the office by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

2. The office may enter into contracts in connection with the fulfillment of its duties concerning the Florida First Business Bond Pool under chapter 159, tax incentives under chapters 212 and 220, tax incentives under the Certified Capital Company Act in chapter 288, foreign offices under chapter 288, the Enterprise Zone program under chapter 290, the Seaport Employment Training program under chapter 311, the Florida Professional Sports Team License Plates under chapter 320, Spaceport Florida under chapter 331, Expedited Permitting under chapter 403, and in carrying out other functions that are specifically assigned to the office by law, by the appropriations process, or by the Governor.

Section 11. Subsection (4) of section 403.413, Florida Statutes, is amended to read:

403.413 Florida Litter Law.—

(4) DUMPING LITTER PROHIBITED.—Unless otherwise authorized by law or permit, it is unlawful for any person to dump litter in any manner or amount:

(a) In or on any public highway, road, street, alley, or thoroughfare, including any portion of the right-of-way thereof, or any other public lands, except in containers or areas lawfully provided therefor. When any litter is thrown or discarded from a motor vehicle, the operator or owner of the motor vehicle, or both, shall be deemed in violation of this section;

(b) In or on any freshwater lake, river, canal, or stream or tidal or coastal water of the state, including canals. When any litter is thrown or discarded from a boat, the operator or owner of the boat, or both, shall be deemed in violation of this section; or

(c) In or on any private property, unless prior consent of the owner has been given and unless *the dumping of* such litter *by such person* will not cause a public nuisance or *otherwise* be in violation of any other state or local law, rule, or regulation.

Section 12. Section 403.4131, Florida Statutes, is amended to read:

403.4131 *Litter control* ~~"Keep Florida Beautiful, Incorporated"; placement of signs.—~~

~~(1) It is the intent of the Legislature that a coordinated effort of interested businesses, environmental and civic organizations, and state and local agencies of government be developed to plan for and assist in implementing solutions to the litter and solid waste problems in this state and that the state provide financial assistance for the establishment of a nonprofit organization with the name of "Keep Florida Beautiful, Incorporated," which shall be registered, incorporated, and operated in compliance with chapter 617. This nonprofit organization shall coordinate the statewide campaign and operate as the grassroots arm of the state's effort and shall serve as an umbrella organization for volunteer-based community programs. The organization shall be dedicated to helping Florida and its local communities solve solid waste problems, to developing and implementing a sustained litter prevention campaign, and to act as a working public-private partnership in helping to implement the state's Solid Waste Management Act. As part of this effort, Keep Florida Beautiful, Incorporated, in cooperation with the Environmental Education Foundation, shall strive to educate citizens, visitors, and businesses about the important relationship between the state's environment and economy. Keep Florida Beautiful, Incorporated, is encouraged to explore and identify economic incentives to improve environmental initiatives in the area of solid waste management. The membership of the board of directors of this nonprofit organization may include representatives of the following organizations: the Florida League of Cities, the Florida Association of Counties, the Governor's Office, the Florida Chapter of the National Solid Waste Management Association, the Florida Recyclers Association, the Center for Marine Conservation, Chapter of the Sierra Club, the Associated Industries of Florida, the Florida Soft Drink Association, the Florida Petroleum Council, the Retail Grocers Association of Florida, the Florida Retail Federation, the Pulp and Paper Association, the Florida Automobile Dealers Association, the Beer Industries of Florida, the Florida Beer Wholesalers Association, and the Distilled Spirits Wholesalers.~~

~~(2) As a partner working with government, business, civic, environmental, and other organizations, Keep Florida Beautiful, Incorporated, shall strive to assist the state and its local communities by contracting for the development of a highly visible antilitter campaign that, at a minimum, includes:~~

~~(a) Coordinating with the Center for Marine Conservation and the Center for Solid and Hazardous Waste Management to identify components of the marine debris and litter stream and groups that habitually litter.~~

~~(b) Designing appropriate advertising to promote the proper management of solid waste, with emphasis on educating groups that habitually litter.~~

~~(c) Fostering public awareness and striving to build an environmental ethic in this state through the development of educational programs that result in an understanding and in action on the part of individuals and organizations about the role they must play in preventing litter and protecting Florida's environment.~~

~~(d) Developing educational programs and materials that promote the proper management of solid waste, including the proper disposal of litter.~~

~~(c) Administering grants provided by the state. Grants authorized under this section shall be subject to normal department audit procedures and review.~~

(1)~~(3)~~ The Department of Transportation shall establish an "adopt-a-highway" program to allow local organizations to be identified with specific highway cleanup and highway beautification projects authorized under s. 339.2405 ~~and shall coordinate such efforts with Keep Florida Beautiful, Inc~~. The department shall report to the Governor and the Legislature on the progress achieved and the savings incurred by the "adopt-a-highway" program. The department shall also monitor and report on compliance with provisions of the adopt-a-highway program to ensure that organizations that participate in the program comply with the goals identified by the department.

(2)~~(4)~~ The Department of Transportation shall place signs discouraging litter at all off-ramps of the interstate highway system in the state. The department shall place other highway signs as necessary to discourage littering ~~through use of the antilitter program developed by Keep Florida Beautiful, Incorporated~~.

(3)~~(5)~~ Each county is encouraged to initiate a litter control and prevention program or to expand upon its existing program. The department shall establish a system of grants for municipalities and counties to implement litter control and prevention programs. In addition to the activities described in subsection (1), such grants shall at a minimum be used for litter cleanup, grassroots educational programs involving litter removal and prevention, and the placement of litter and recycling receptacles. Counties are encouraged to form working public private partnerships as authorized under this section to implement litter control and prevention programs at the community level. The grants authorized pursuant to this section shall be incorporated as part of the recycling and education grants. Counties that have a population under *100,000* ~~75,000~~ are encouraged to develop a regional approach to administering and coordinating their litter control and prevention programs.

~~(6) The department may contract with Keep Florida Beautiful, Incorporated, to help carry out the provisions of this section. All contracts authorized under this section are subject to normal department audit procedures and review.~~

~~(7) In order to establish continuity for the statewide program, those local governments and community programs receiving grants for litter prevention and control must use the official State of Florida litter control or campaign symbol adopted by Keep Florida Beautiful, Incorporated, for use on various receptacles and program material.~~

~~(8) The Legislature establishes a litter reduction goal of 50 percent reduction from the period January 1, 1994, to January 1, 1997. The method of determination used to measure the reduction in litter is the survey conducted by the Center for Solid and Hazardous Waste Management. The center shall consider existing litter survey methodologies.~~

~~(9) The Department of Environmental Protection shall contract with the Center for Solid and Hazardous Waste Management for an ongoing annual litter survey, the first of which is to be conducted by January 1, 1994. The center shall appoint a broad-based work group not to exceed seven members to assist in the development and implementation of the survey. Representatives from the university system, business, government, and the environmental community shall be considered by the center to serve on the work group. Final authority on implementing and conducting the survey rests with the center. The first survey is to be designed to serve as a baseline by measuring the amount of current litter and marine debris, and is to include a methodology for measuring the reduction in the amount of litter and marine debris to determine the progress toward the litter reduction goal established in subsection (8). Annually thereafter, additional surveys are to be conducted and must also include a methodology for measuring the reduction in the amount of litter and for determining progress toward the litter reduction goal established in subsection (8).~~

~~(10)(a) There is created within Keep Florida Beautiful, Inc., the Wildflower Advisory Council, consisting of a maximum of nine members to direct and oversee the expenditure of the Wildflower Account. The Wildflower Advisory Council shall include a representative from the University of Florida Institute of Food and Agricultural Sciences, the Florida Department of Transportation, and the Florida Department of Environmental Protection, the Florida League of Cities, and the Florida Association of Counties. Other members of the committee may include representatives from the Florida Federation of Garden Clubs, Inc., Think Beauty Foundation, the Florida Chapter of the American Society of Landscape Architects, Inc., and a representative of the Master Gardener's Program.~~

~~(b) The Wildflower Advisory Council shall develop procedures of operation, research contracts, educational programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses. The council shall also make the final determination of what constitutes acceptable species of wildflowers and other plantings supported by these programs.~~

Section 13. Section 403.41315, Florida Statutes, is amended to read:

403.41315 Comprehensive illegal dumping, litter, and marine debris control and prevention.—

(1) The Legislature finds that a comprehensive illegal dumping, litter, and marine debris control and prevention program is necessary to protect the beauty and the environment of Florida. The Legislature also recognizes that a comprehensive illegal dumping, litter, and marine debris control and prevention program will have a positive effect on the state's economy. The Legislature finds that the state's rapid population growth, the ever-increasing mobility of its population, and the large number of tourists contribute to the need for a comprehensive illegal dumping, litter, and marine debris control and prevention program. The Legislature further finds that the program must be coordinated and capable of having statewide identity and grassroots community support.

(2) The comprehensive illegal dumping, litter, and marine debris control and prevention program at a minimum must include the following:

(a) A *local* ~~statewide~~ public awareness and educational campaign~~, coordinated by Keep Florida Beautiful, Incorporated,~~ to educate individuals, government, businesses, and other organizations concerning the role they must assume in preventing and controlling litter.

(b) Enforcement provisions authorized under s. 403.413.

(c) Enforcement officers whose responsibilities include grassroots education along with enforcing litter and illegal dumping violations.

(d) Local illegal dumping, litter, and marine debris control and prevention programs operated at the county level with emphasis placed on grassroots educational programs designed to prevent and remove litter and marine debris.

(e) A statewide adopt-a-highway program as authorized under s. 403.4131.

(f) The highway beautification program authorized under s. 339.2405.

(g) A statewide Adopt-a-Shore program that includes beach, river, and lake shorelines and emphasizes litter and marine debris cleanup and prevention.

(h) The prohibition of balloon releases as authorized under s. 372.995.

(i) The placement of approved identifiable litter and recycling receptacles.

(j) Other educational programs that are implemented at the grassroots level ~~coordinated through Keep Florida Beautiful, Inc.,~~ involving volunteers and community programs that clean up and prevent litter, including Youth Conservation Corps activities.

Section 14. Section 403.4133, Florida Statutes, is amended to read:

403.4133 Adopt-a-Shore Program.—

(1) The Legislature finds that litter and illegal dumping present a threat to the state's wildlife, environment, and shorelines. The Legislature further finds that public awareness and education will assist in preventing litter from being illegally deposited along the state's shorelines.

(2) The Adopt-a-Shore Program shall be created within the *Department of Environmental Protection* ~~nonprofit organization referred to in s. 403.4131(1), named Keep Florida Beautiful, Incorporated~~. The program shall be designed to educate the state's citizens and visitors about the importance of litter prevention and shall include approaches and techniques to remove litter from the state's shorelines.

(3) For the purposes of this section, the term "shoreline" includes, but is not limited to, beaches, rivershores, and lakeshores.

Section 15. Subsection (28) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(28) FLORIDA WILDFLOWER LICENSE PLATES.—

(a) The department shall develop a Florida Wildflower license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "State Wildflower" and "coreopsis" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the *Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code* ~~Wildflower Account established by Keep Florida Beautiful, Inc., created by s. 403.4131~~. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.

1. The Wildflower Foundation, Inc., shall develop procedures of operation, research contracts, education and marketing programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses.

2. A maximum of *15* ~~10~~ percent of the proceeds from the sale of such plates may be used for administrative *and marketing* costs.

3. In the event the Wildflower Foundation, Inc., ceases to be an active nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, the proceeds from the annual use fee shall be deposited into the General Inspection Trust Fund created within the Department of Agriculture and Consumer Services. Any funds held by the Wildflower Foundation, Inc., must be promptly transferred to the General Inspection Trust Fund. The Department of Agriculture and Consumer Services shall use and administer the proceeds from the use fee in the manner specified in this subsection.

Section 16. *All unexpended proceeds of fees paid for Wildflower license plates which are held by Keep Florida Beautiful, Inc., must be transferred to the Department of Agriculture and Consumer Services promptly after the effective date of this act.*

Section 17. Section 403.703, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 403.703, F.S., for present text.)

403.703 Definitions.—As used in this part, the term:

(1) "Ash residue" has the same meaning as in the department rule governing solid waste combustors which defines the term.

(2) "Biological waste" means solid waste that causes or has the capability of causing disease or infection and includes, but is not limited to, biomedical waste, diseased or dead animals, and other wastes capable of transmitting pathogens to humans or animals. The term does not include human remains that are disposed of by persons licensed under chapter 497.

(3) "Biomedical waste" means any solid waste or liquid waste that may present a threat of infection to humans. The term includes, but is not limited to, nonliquid human tissue and body parts; laboratory and veterinary waste that contains human-disease-causing agents; discarded disposable sharps; human blood and human blood products and body fluids; and other materials that in the opinion of the Department of Health represent a significant risk of infection to persons outside the generating facility. The term does not include human remains that are disposed of by persons licensed under chapter 497.

(4) "Clean debris" means any solid waste that is virtually inert, that is not a pollution threat to groundwater or surface waters, that is not a fire hazard, and that is likely to retain its physical and chemical structure under expected conditions of disposal or use. The term includes uncontaminated concrete, including embedded pipe or steel, brick, glass, ceramics, and other wastes designated by the department.

(5) "Closure" means the cessation of operation of a solid waste management facility and the act of securing such facility so that it will pose no significant threat to human health or the environment and includes long-term monitoring and maintenance of a facility if required by department rule.

(6) "Construction and demolition debris" means discarded materials generally considered to be not water-soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure, and includes rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land-development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site. Mixing of construction and demolition debris with other types of solid waste will cause the resulting mixture to be classified as other than construction and demolition debris. The term also includes:

(a) Clean cardboard, paper, plastic, wood, and metal scraps from a construction project.

(b) Except as provided in s. 403.707(9)(j), yard trash and unpainted, nontreated wood scraps from sources other than construction or demolition projects.

(c) Scrap from manufacturing facilities which is the type of material generally used in construction projects and which would meet the definition of construction and demolition debris if it were generated as part of a construction or demolition project. This includes debris from the construction of manufactured homes and scrap shingles, wallboard, siding concrete, and similar materials from industrial or commercial facilities.

(d) De minimis amounts of other nonhazardous wastes that are generated at construction or destruction projects, provided such amounts are consistent with best management practices of the industry.

(7) "County," or any like term, means a political subdivision of the state established pursuant to s. 1, Art. VIII of the State Constitution and, when s. 403.706(19) applies, means a special district or other entity.

(8) "Department" means the Department of Environmental Protection or any successor agency performing a like function.

(9) "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or upon any land or water so that such solid waste or hazardous waste or any constituent thereof may enter other lands or be emitted into the air or discharged into any waters, including groundwaters, or otherwise enter the environment.

(10) "Generation" means the act or process of producing solid or hazardous waste.

(11) "Guarantor" means any person, other than the owner or operator, who provides evidence of financial responsibility for an owner or operator under this part.

(12) "Hazardous substance" means any substance that is defined as a hazardous substance in the United States Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 94 Stat. 2767.

(13) "Hazardous waste" means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. The term does not include human remains that are disposed of by persons licensed under chapter 497.

(14) "Hazardous waste facility" means any building, site, structure, or equipment at or by which hazardous waste is disposed of, stored, or treated.

(15) "Hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, recycling, and disposal of hazardous wastes.

(16) "Land disposal" means any placement of hazardous waste in or on the land and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt bed formation, salt dome formation, or underground mine or cave, or placement in a concrete vault or bunker intended for disposal purposes.

(17) "Landfill" means any solid waste land disposal area for which a permit, other than a general permit, is required by s. 403.707 and which receives solid waste for disposal in or upon land. The term does not include a landspreading site, an injection well, a surface impoundment, or a facility for the disposal of construction and demolition debris.

(18) "Manifest" means the recordkeeping system used for identifying the concentration, quantity, composition, origin, routing, and destination of hazardous waste during its transportation from the point of generation to the point of disposal, storage, or treatment.

(19) "Materials recovery facility" means a solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

(20) "Municipality," or any like term, means a municipality created pursuant to general or special law authorized or recognized pursuant to s. 2 or s. 6, Art. VIII of the State Constitution and, when s. 403.706(19) applies, means a special district or other entity.

(21) "Operation," with respect to any solid waste management facility, means the disposal, storage, or processing of solid waste at and by the facility.

(22) "Person" means any and all persons, natural or artificial, including any individual, firm, or association; any municipal or private corporation organized or existing under the laws of this state or any other state; any county of this state; and any governmental agency of this state or the Federal Government.

(23) "Processing" means any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport; amenable to recovery, storage, or recycling; safe for disposal; or reduced in volume or concentration.

(24) "Recovered materials" means metal, paper, glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed from the solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but the term does not include materials destined for any use that constitutes disposal. Recovered materials as described in this subsection are not solid waste.

(25) "Recovered materials processing facility" means a facility engaged solely in the storage, processing, resale, or reuse of recovered materials. Such a facility is not a solid waste management facility if it meets the conditions of s. 403.7045(1)(e).

(26) "Recyclable material" means those materials that are capable of being recycled and that would otherwise be processed or disposed of as solid waste.

(27) "Recycling" means any process by which solid waste, or materials that would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

(28) "Resource recovery" means the process of recovering materials or energy from solid waste, excluding those materials or solid waste under the control of the Nuclear Regulatory Commission.

(29) "Resource recovery equipment" means equipment or machinery exclusively and integrally used in the actual process of recovering material or energy resources from solid waste.

(30) "Sludge" includes the accumulated solids, residues, and precipitates generated as a result of waste treatment or processing, including wastewater treatment, water-supply treatment, or operation of an air pollution control facility, and mixed liquids and solids pumped from septic tanks, grease traps, privies, or similar waste disposal appurtenances.

(31) "Solid waste" means sludge unregulated under the federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. Recovered materials as defined in subsection (24) are not solid waste.

(32) "Solid waste disposal facility" means any solid waste management facility that is the final resting place for solid waste, including landfills and incineration facilities that produce ash from the process of incinerating municipal solid waste.

(33) "Solid waste management" means the process by which solid waste is collected, transported, stored, separated, processed, or disposed of in any other way according to an orderly, purposeful, and planned program, which includes closure.

(34) "Solid waste management facility" means any solid waste disposal area, volume-reduction plant, transfer station, materials recovery facility, or other facility, the purpose of which is resource recovery or the disposal, recycling, processing, or storage of solid waste. The term does not include recovered materials processing facilities that meet the requirements of s. 403.7046, except the portion of such facilities, if any, which is used for the management of solid waste.

(35) "Source separated" means that the recovered materials are separated from solid waste at the location where the recovered materials and solid waste are generated. The term does not require that various types of recovered materials be separated from each other, and recognizes de minimis solid waste, in accordance with industry standards and practices, may be included in the recovered materials. Materials are not considered source-separated when two or more types of recovered materials are deposited in combination with each other in a commercial collection container located where the materials are generated and when such materials contain more than 10 percent solid waste by volume or weight. For purposes of this subsection, the term "various types of recovered materials" means metals, paper, glass, plastic, textiles, and rubber.

(36) "Special wastes" means solid wastes that can require special handling and management, including, but not limited to, white goods, waste tires, used oil, lead-acid batteries, construction and demolition debris, ash residue, yard trash, and biological wastes.

(37) "Storage" means the containment or holding of a hazardous waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such hazardous waste.

(38) "Transfer station" means a site the primary purpose of which is to store or hold solid waste for transport to a processing or disposal facility.

(39) "Transport" means the movement of hazardous waste from the point of generation or point of entry into the state to any offsite intermediate points and to the point of offsite ultimate disposal, storage, treatment, or exit from the state.

(40) "Treatment," when used in connection with hazardous waste, means any method, technique, or process, including neutralization, which is designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize it or render it nonhazardous, safe for transport, amenable to recovery, amenable to storage or disposal, or reduced in volume or concentration. The term includes any activity or processing that is designed to change the physical form or chemical composition of hazardous waste so as to render it nonhazardous.

(41) "Volume reduction plant" includes incinerators, pulverizers, compactors, shredding and baling plants, composting plants, and other plants that accept and process solid waste for recycling or disposal.

(42) "White goods" includes inoperative and discarded refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial large appliances.

(43) "Yard trash" means vegetative matter resulting from landscaping maintenance and land clearing operations and includes associated rocks and soils.

Section 18. Subsection (69) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(69) HAZARDOUS MATERIAL.—Any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term includes hazardous waste as defined in *s. 403.703(13)* ~~s. 403.703(21)~~.

Section 19. Paragraph (f) of subsection (2) of section 377.709, Florida Statutes, is amended to read:

377.709 Funding by electric utilities of local governmental solid waste facilities that generate electricity.—

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

(f) "Solid waste facility" means a facility owned or operated by, or on behalf of, a local government for the purpose of disposing of solid waste, as that term is defined in *s. 403.703(31)* ~~s. 403.703(13)~~, by any process that produces heat and incorporates, as a part of the facility, the means of converting heat to electrical energy in amounts greater than actually required for the operation of the facility.

Section 20. Subsection (1) of section 487.048, Florida Statutes, is amended to read:

487.048 Dealer's license; records.—

(1) Each person holding or offering for sale, selling, or distributing restricted-use pesticides shall obtain a dealer's license from the department. Application for the license shall be made on a form prescribed by the department. The license must be obtained before entering into business or transferring ownership of a business. The department may require examination or other proof of competency of individuals to whom licenses are issued or of individuals employed by persons to whom licenses are issued. Demonstration of continued competency may be required for license renewal, as set by rule. The license shall be renewed annually as provided by rule. An annual license fee not exceeding $250 shall be established by rule. However, a user of a restricted-use pesticide may distribute unopened containers of a properly labeled pesticide to another user who is legally entitled to use that restricted-use pesticide without obtaining a pesticide dealer's license. The exclusive purpose of distribution of the restricted-use pesticide is to keep it from becoming a hazardous waste as defined in *s. 403.703(13)* ~~s. 403.703(21)~~.

Section 21. Section 403.704, Florida Statutes, is amended to read:

403.704 Powers and duties of the department.—The department shall have responsibility for the implementation and enforcement of the provisions of this act. In addition to other powers and duties, the department shall:

(1) Develop and implement, in consultation with local governments, a state solid waste management program, as defined in s. 403.705~~, and update the program at least every 3 years. In developing rules to implement the state solid waste management program, the department shall hold public hearings around the state and shall give notice of such public hearings to all local governments and regional planning agencies.~~

(2) Provide technical assistance to counties, municipalities, and other persons, and cooperate with appropriate federal agencies and private organizations in carrying out the provisions of this act.

(3) Promote the planning and application of recycling and resource recovery systems which preserve and enhance the quality of the air, water, and other natural resources of the state and assist in and encourage, where appropriate, the development of regional solid waste management facilities.

(4) Serve as the official state representative for all purposes of the federal Solid Waste Disposal Act, as amended by Pub. L. No. 91-512, or as subsequently amended.

(5) Use private industry or the State University System through contractual arrangements for implementation of some or all of the requirements of the state solid waste management program and for such other activities as may be considered necessary, desirable, or convenient.

(6) Encourage recycling and resource recovery as a source of energy and materials.

(7) Assist in and encourage, as much as possible, the development within the state of industries and commercial enterprises which are based upon resource recovery, recycling, and reuse of solid waste.

~~(8) Charge reasonable fees for any services it performs pursuant to this act, provided user fees shall apply uniformly within each municipality or county to all users who are provided with solid waste management services.~~

~~(9) Acquire, at its discretion, personal or real property or any interest therein by gift, lease, or purchase for the purpose of providing sites for solid waste management facilities.~~

~~(10) Acquire, construct, reconstruct, improve, maintain, equip, furnish, and operate, at its discretion, such solid waste management facilities as are called for by the state solid waste management program.~~

~~(11) Receive funds or revenues from the sale of products, materials, fuels, or energy in any form derived from processing of solid waste by state-owned or state-operated facilities, which funds or revenues shall be deposited into the Solid Waste Management Trust Fund.~~

(8)~~(12)~~ Determine by rule the facilities, equipment, personnel, and number of monitoring wells to be provided at each ~~Class I~~ solid waste disposal area.

~~(13) Encourage, but not require, as part of a Class II solid waste disposal area, a potable water supply; an employee shelter; handwashing and toilet facilities; equipment washout facilities; electric service for operations and repairs; equipment shelter for maintenance and storage of parts, equipment, and tools; scales for weighing solid waste received at the disposal area; a trained equipment operator in full-time attendance during operating hours; and communication facilities for use in emergencies. The department may require an attendant at a Class II solid waste disposal area during the hours of operation if the department affirmatively demonstrates that such a requirement is necessary to prevent unlawful fires, unauthorized dumping, or littering of nearby property.~~

~~(14) Require a Class II solid waste disposal area to have at least one monitoring well which shall be placed adjacent to the site in the direction of groundwater flow unless otherwise exempted by the department. The department may require additional monitoring wells not farther than 1 mile from the site if it is affirmatively demonstrated by the department that a significant change in the initial quality of the water has occurred in the downstream monitoring well which adversely affects the beneficial uses of the water. These wells may be public or private water supply wells if they are suitable for use in determining background water quality levels.~~

(9)~~(15)~~ Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce the provisions of this act, including requirements for the classification, construction, operation, maintenance, and closure of solid waste management facilities and requirements for, and conditions on, solid waste disposal in this state, whether such solid waste is generated within this state or outside this state as long as such requirements and conditions are not based on the out-of-state origin of the waste and are consistent with applicable provisions of law. When classifying solid waste management facilities, the department shall consider the hydrogeology of the site for the facility, the types of wastes to be handled by the facility, and methods used to control the types of waste to be handled by the facility and shall seek to minimize the adverse effects of solid waste management on the environment. Whenever the department

adopts any rule stricter or more stringent than one which has been set by the United States Environmental Protection Agency, the procedures set forth in s. 403.804(2) shall be followed. The department shall not, however, adopt hazardous waste rules for solid waste for which special studies were required prior to October 1, 1988, under s. 8002 of the Resource Conservation and Recovery Act, 42 U.S.C. s. 6982, as amended, until the studies are completed by the United States Environmental Protection Agency and the information is available to the department for consideration in adopting its own rule.

(10)~~(16)~~ Issue or modify permits on such conditions as are necessary to effect the intent and purposes of this act, and may deny or revoke permits.

~~(17) Conduct research, using the State University System, solid waste professionals from local governments, private enterprise, and other organizations, on alternative, economically feasible, cost-effective, and environmentally safe solid waste management and landfill closure methods which protect the health, safety, and welfare of the public and the environment and which may assist in developing markets and provide economic benefits to local governments, the state, and its citizens, and solicit public participation during the research process. The department shall incorporate such cost-effective landfill closure methods in the appropriate department rule as alternative closure requirements.~~

(11)~~(18)~~ Develop and implement or contract for services to develop information on recovered materials markets and strategies for market development and expansion for use of these materials. Additionally, the department shall maintain a directory of recycling businesses operating in the state and shall serve as a coordinator to match recovered materials with markets. Such directory shall be made available to the public and to local governments to assist with their solid waste management activities.

~~(19) Authorize variances from solid waste closure rules adopted pursuant to this part, provided such variances are applied for and approved in accordance with s. 403.201 and will not result in significant threats to human health or the environment.~~

(12)~~(20)~~ Establish accounts and deposit to the Solid Waste Management Trust Fund and control and administer moneys it may withdraw from the fund.

(13)~~(21)~~ Manage a program of grants, using funds from the Solid Waste Management Trust Fund and funds provided by the Legislature for solid waste management, for programs for recycling, composting, litter control, and special waste management and for programs which provide for the safe and proper management of solid waste.

(14)~~(22)~~ Budget and receive appropriated funds and accept, receive, and administer grants or other funds or gifts from public or private agencies, including the state and the Federal Government, for the purpose of carrying out the provisions of this act.

(15)~~(23)~~ Delegate its powers, enter into contracts, or take such other actions as may be necessary to implement this act.

(16)~~(24)~~ Receive and administer funds appropriated for county hazardous waste management assessments.

(17)~~(25)~~ Provide technical assistance to local governments and regional agencies to ensure consistency between county hazardous waste management assessments; coordinate the development of such assessments with the assistance of the appropriate regional planning councils; and review and make recommendations to the Legislature relative to the sufficiency of the assessments to meet state hazardous waste management needs.

(18)~~(26)~~ Increase public education and public awareness of solid and hazardous waste issues by developing and promoting statewide programs of litter control, recycling, volume reduction, and proper methods of solid waste and hazardous waste management.

(19)~~(27)~~ Assist the hazardous waste storage, treatment, or disposal industry by providing to the industry any data produced on the types and quantities of hazardous waste generated.

(20)~~(28)~~ Institute a hazardous waste emergency response program which would include emergency telecommunication capabilities and coordination with appropriate agencies.

(21)~~(29)~~ Promulgate rules necessary to accept delegation of the hazardous waste management program from the Environmental Protection Agency under the Hazardous and Solid Waste Amendments of 1984, Pub. L. No. 98-616.

(22)~~(30)~~ Adopt rules, if necessary, to address the incineration and disposal of biomedical waste and the management of biological waste within the state, whether such waste is generated within this state or outside this state, as long as such requirements and conditions are not based on the out-of-state origin of the waste and are consistent with applicable provisions of law.

Section 22. Section 403.7043, Florida Statutes, is amended to read:

403.7043 Compost standards and applications.—

(1) In order to protect the state's land and water resources, compost produced, utilized, or disposed of by the composting process at solid waste management facilities in the state must meet criteria established by the department.

(2) *The department shall* ~~Within 6 months after October 1, 1988, the department shall initiate rulemaking to~~ establish *and maintain rules addressing* standards for the production of compost ~~and shall complete and promulgate those rules within 12 months after initiating the process of rulemaking~~, including rules establishing:

(a) Requirements necessary to produce hygienically safe compost products for varying applications.

(b) A classification scheme for compost based on~~:~~ the types of waste composted, ~~including at least one type containing only yard trash;~~ the maturity of the compost, ~~including at least three degrees of decomposition for fresh, semimature, and mature;~~ and the levels of organic and inorganic constituents in the compost. This scheme shall address:

1. Methods for measurement of the compost maturity.

2. Particle sizes.

3. Moisture content.

4. Average levels of organic and inorganic constituents, including heavy metals, for such classes of compost as the department establishes, and the analytical methods to determine those levels.

~~(3) Within 6 months after October 1, 1988, the department shall initiate rulemaking to prescribe the allowable uses and application rates of compost and shall complete and promulgate those rules within 12 months after initiating the process of rulemaking, based on the following criteria:~~

~~(a) The total quantity of organic and inorganic constituents, including heavy metals, allowed to be applied through the addition of compost to the soil per acre per year.~~

~~(b) The allowable uses of compost based on maturity and type of compost.~~

~~(4) If compost is produced which does not meet the criteria prescribed by the department for agricultural and other use, the compost must be reprocessed or disposed of in a manner approved by the department, unless a different application is specifically permitted by the department.~~

~~(5) The provisions of s. 403.706 shall not prohibit any county or municipality which has in place a memorandum of understanding or other written agreement as of October 1, 1988, from proceeding with plans to build a compost facility.~~

Section 23. Subsections (1), (2), and (3) of section 403.7045, Florida Statutes, are amended to read:

403.7045 Application of act and integration with other acts.—

(1) The following wastes or activities shall not be regulated pursuant to this act:

(a) Byproduct material, source material, and special nuclear material, the generation, transportation, disposal, storage, or treatment of

which is regulated under chapter 404 or under the federal Atomic Energy Act of 1954, ch. 1073, 68 Stat. 923, as amended;

(b) Suspended solids and dissolved materials in domestic sewage effluent or irrigation return flows or other discharges which are point sources subject to permits pursuant to provisions of this chapter or pursuant to s. 402 of the Clean Water Act, Pub. L. No. 95-217;

(c) Emissions to the air from a stationary installation or source regulated under provisions of this chapter or under the Clean Air Act, Pub. L. No. 95-95;

(d) Drilling fluids, produced waters, and other wastes associated with the exploration for, or development and production of, crude oil or natural gas which are regulated under chapter 377; or

(e) Recovered materials or recovered materials processing facilities shall not be regulated pursuant to this act, except as provided in s. 403.7046, if:

1. A majority of the recovered materials at the facility are demonstrated to be sold, used, or reused within 1 year.

2. The recovered materials handled by the facility or the products or byproducts of operations that process recovered materials are not discharged, deposited, injected, dumped, spilled, leaked, or placed into or upon any land or water by the owner or operator of such facility so that such recovered materials, products or byproducts, or any constituent thereof may enter other lands or be emitted into the air or discharged into any waters, including groundwaters, or otherwise enter the environment such that a threat of contamination in excess of applicable department standards and criteria is caused.

3. The recovered materials handled by the facility are not hazardous wastes as defined under s. 403.703, and rules promulgated pursuant thereto.

4. The facility is registered as required in s. 403.7046.

(f) Industrial byproducts, if:

1. A majority of the industrial byproducts are demonstrated to be sold, used, or reused within 1 year.

2. The industrial byproducts are not discharged, deposited, injected, dumped, spilled, leaked, or placed upon any land or water so that such industrial byproducts, or any constituent thereof, may enter other lands or be emitted into the air or discharged into any waters, including groundwaters, or otherwise enter the environment such that a threat of contamination in excess of applicable department standards and criteria *or a significant threat to public health* is caused.

3. The industrial byproducts are not hazardous wastes as defined under s. 403.703 and rules adopted under this section.

(2) Except as provided in *s. 403.704(9)* ~~s. 403.704(15)~~, the following wastes shall not be regulated as a hazardous waste pursuant to this act, except when determined by the United States Environmental Protection Agency to be a hazardous waste:

(a) Ashes and scrubber sludges generated from the burning of boiler fuel for generation of electricity or steam.

(b) Agricultural and silvicultural byproduct material and agricultural and silvicultural process waste from normal farming or processing.

(c) Discarded material generated by the mining and beneficiation and chemical or thermal processing of phosphate rock, and precipitates resulting from neutralization of phosphate chemical plant process and nonprocess waters.

(3) The following wastes or activities shall be regulated pursuant to this act in the following manner:

(a) *Dredged material that is generated as part of a project permitted under part IV of chapter 373 or chapter 161, or that is authorized to be removed from sovereign submerged lands under chapter 253,* ~~Dredge spoil or fill material~~ shall be *managed in accordance with the conditions of that permit or authorization unless the dredged material is regulated as hazardous waste pursuant to this part* ~~disposed of pursuant to a dredge and fill permit, but whenever hazardous components are disposed of within the dredge or fill material, the dredge and fill permits shall specify the specific hazardous wastes contained and the concentration of each such waste~~ . *If the dredged material contains hazardous substances,* the department may *further* ~~then~~ limit or restrict the sale or use of the *dredged* ~~dredge and fill~~ material and may specify such other conditions relative to this material as are reasonably necessary to protect the public from the potential hazards.

(b) Hazardous wastes *that* ~~which~~ are contained in artificial recharge waters or other waters intentionally introduced into any underground formation and *that* ~~which~~ are permitted pursuant to s. 373.106 shall also be handled in compliance with the requirements and standards for disposal, storage, and treatment of hazardous waste under this act.

(c) Solid waste or hazardous waste facilities *that* ~~which~~ are operated as a part of the normal operation of a power generating facility and which are licensed by certification pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518, shall undergo such certification subject to the substantive provisions of this act.

(d) Biomedical waste and biological waste shall be disposed of only as authorized by the department. However, any person who unknowingly disposes into a sanitary landfill or waste-to-energy facility any such waste *that* ~~which~~ has not been properly segregated or separated from other solid wastes by the generating facility is not guilty of a violation under this act. ~~Nothing in~~ This paragraph *does not* ~~shall be construed to~~ prohibit the department from seeking injunctive relief pursuant to s. 403.131 to prohibit the unauthorized disposal of biomedical waste or biological waste.

Section 24. Section 403.707, Florida Statutes, is amended to read:

403.707 Permits.—

(1) *A* ~~No~~ solid waste management facility may *not* be operated, maintained, constructed, expanded, modified, or closed without an appropriate and currently valid permit issued by the department. *The department may by rule exempt specified types of facilities from the requirement for a permit if it determines that construction for operation of the facility is not expected to create any significant threat to the environment or public health. For purposes of this part, and only when specified by department rule, a permit may include registrations as well as other forms of licenses as defined in s. 120.52.* Solid waste construction permits issued under this section may include any permit conditions necessary to achieve compliance with the recycling requirements of this act. The department shall pursue reasonable timeframes for closure and construction requirements, considering pending federal requirements and implementation costs to the permittee. The department shall adopt a rule establishing performance standards for construction and closure of solid waste management facilities. The standards shall allow flexibility in design and consideration for site-specific characteristics.

(2) Except as provided in s. 403.722(6), no permit under this section is required for the following, provided that the activity shall not create a public nuisance or any condition adversely affecting the environment or public health and shall not violate other state or local laws, ordinances, rules, regulations, or orders:

(a) Disposal by persons of solid waste resulting from their own activities on their own property, provided such waste is either ordinary household waste from their residential property or is rocks, soils, trees, tree remains, and other vegetative matter *that* ~~which~~ normally result from land development operations. Disposal of materials *that* ~~which~~ could create a public nuisance or adversely affect the environment or public health, such as: white goods; automotive materials, such as batteries and tires; petroleum products; pesticides; solvents; or hazardous substances, is not covered under this exemption.

(b) Storage in containers by persons of solid waste resulting from their own activities on their property, leased or rented property, or property subject to a homeowners or maintenance association for which the person contributes association assessments, if the solid waste in such containers is collected at least once a week.

(c) Disposal by persons of solid waste resulting from their own activities on their property, provided the environmental effects of such disposal on groundwater and surface waters are:

1. Addressed or authorized by a site certification order issued under part II or a permit issued by the department pursuant to this chapter or rules adopted pursuant thereto; or

2. Addressed or authorized by, or exempted from the requirement to obtain, a groundwater monitoring plan approved by the department.

(d) Disposal by persons of solid waste resulting from their own activities on their own property, provided that such disposal occurred prior to October 1, 1988.

(e) Disposal of solid waste resulting from normal farming operations as defined by department rule. Polyethylene agricultural plastic, damaged, nonsalvageable, untreated wood pallets, and packing material that cannot be feasibly recycled, which are used in connection with agricultural operations related to the growing, harvesting, or maintenance of crops, may be disposed of by open burning, provided that no public nuisance or any condition adversely affecting the environment or the public health is created thereby and that state or federal ambient air quality standards are not violated.

(f) The use of clean debris as fill material in any area. However, this paragraph does not exempt any person from obtaining any other required permits, nor does it affect a person's responsibility to dispose of clean debris appropriately if it is not to be used as fill material.

(g) Compost operations that produce less than 50 cubic yards of compost per year when the compost produced is used on the property where the compost operation is located.

(3) All applicable provisions of ss. 403.087 and 403.088, relating to permits, apply to the control of solid waste management facilities.

(4) When application for a construction permit for a Class I ~~or Class II~~ solid waste disposal area is made, it is the duty of the department to provide a copy of the application, within 7 days after filing, to the water management district having jurisdiction where the area is to be located. The water management district may prepare an advisory report as to the impact on water resources. This report shall contain the district's recommendations as to the disposition of the application and shall be submitted to the department no later than 30 days prior to the deadline for final agency action by the department. However, the failure of the department or the water management district to comply with the provisions of this subsection shall not be the basis for the denial, revocation, or remand of any permit or order issued by the department.

(5) The department may not issue a construction permit pursuant to this part for a new solid waste landfill within 3,000 feet of Class I surface waters.

(6) The department may issue a construction permit pursuant to this part only to a solid waste management facility that provides the conditions necessary to control the safe movement of wastes or waste constituents into surface or ground waters or the atmosphere and that will be operated, maintained, and closed by qualified and properly trained personnel. Such facility must if necessary:

(a) Use natural or artificial barriers which are capable of controlling lateral or vertical movement of wastes or waste constituents into surface or ground waters.

(b) Have a foundation or base that is capable of providing support for structures and waste deposits and capable of preventing foundation or base failure due to settlement, compression, or uplift.

(c) Provide for the most economically feasible, cost-effective, and environmentally safe control of leachate, gas, stormwater, and disease vectors and prevent the endangerment of public health and the environment.

Open fires, air-curtain incinerators, or trench burning may not be used as a means of disposal at a solid waste management facility, unless permitted by the department under s. 403.087.

(7) Prior to application for a construction permit, an applicant shall designate to the department temporary backup disposal areas or processes for the resource recovery facility. Failure to designate temporary backup disposal areas or processes shall result in a denial of the construction permit.

(8) The department may refuse to issue a permit to an applicant who by past conduct in this state has repeatedly violated pertinent statutes, rules, or orders or permit terms or conditions relating to any solid waste management facility and who is deemed to be irresponsible as defined by department rule. For the purposes of this subsection, an applicant includes the owner or operator of the facility, or if the owner or operator is a business entity, a parent of a subsidiary corporation, a partner, a corporate officer or director, or a stockholder holding more than 50 percent of the stock of the corporation.

~~(9) Before or on the same day of filing with the department of an application for any construction permit for the incineration of biomedical waste which the department may require by rule, the applicant shall notify each city and county within 1 mile of the facility of the filing of the application and shall publish notice of the filing of the application. The applicant shall publish a second notice of the filing within 14 days after the date of filing. Each notice shall be published in a newspaper of general circulation in the county in which the facility is located or is proposed to be located. Notwithstanding the provisions of chapter 50, for purposes of this section, a "newspaper of general circulation" shall be the newspaper within the county in which the installation or facility is proposed which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notice shall appear in both the newspaper with the largest daily circulation in that county, and a newspaper authorized to publish legal notices in that county. The notice shall contain:~~

~~(a) The name of the applicant and a brief description of the facility and its location.~~

~~(b) The location of the application file and when it is available for public inspection.~~

~~The notice shall be prepared by the applicant and shall comply with the following format:~~

~~Notice of Application~~

~~The Department of Environmental Protection announces receipt of an application for a permit from (name of applicant) to (brief description of project). This proposed project will be located at (location) in (county) (city).~~

~~This application is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at (name and address of office).~~

~~(10) A permit, which the department may require by rule, for the incineration of biomedical waste, may not be transferred by the permittee to any other entity, except in conformity with the requirements of this subsection.~~

~~(a) Within 30 days after the sale or legal transfer of a permitted facility, the permittee shall file with the department an application for transfer of the permits on such form as the department shall establish by rule. The form must be completed with the notarized signatures of both the transferring permittee and the proposed permittee.~~

~~(b) The department shall approve the transfer of a permit unless it determines that the proposed permittee has not provided reasonable assurances that the proposed permittee has the administrative, technical, and financial capability to properly satisfy the requirements and conditions of the permit, as determined by department rule. The determination shall be limited solely to the ability of the proposed permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of the permit conditions. If the department proposes to deny the transfer, it shall provide both the transferring permittee and the proposed permittee a written objection to such transfer together with notice of a right to request a proceeding on such determination under chapter 120.~~

~~(c) Within 90 days after receiving a properly completed application for transfer of a permit, the department shall issue a final determination. The department may toll the time for making a determination on the transfer by notifying both the transferring permittee and the proposed permittee that additional information is required to adequately review the transfer request. Such notification shall be provided within 30 days after receipt of an application for transfer of the permit, completed pursuant to paragraph (a). If the department fails to take action~~

~~to approve or deny the transfer within 90 days after receipt of the completed application or within 90 days after receipt of the last item of timely requested additional information, the transfer shall be deemed approved.~~

~~(d) The transferring permittee is encouraged to apply for a permit transfer well in advance of the sale or legal transfer of a permitted facility. However, the transfer of the permit shall not be effective prior to the sale or legal transfer of the facility.~~

~~(e) Until the transfer of the permit is approved by the department, the transferring permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. Nothing in this section shall relieve the transferring permittee of liability for corrective actions that may be required as a result of any violations occurring prior to the legal transfer of the permit.~~

~~(11) The department shall review all permit applications for any designated Class I solid waste disposal facility. As used in this subsection, the term "designated Class I solid waste disposal facility" means any facility that is, as of May 12, 1993, a solid waste disposal facility classified as an active Class I landfill by the department, that is located in whole or in part within 1,000 feet of the boundary of any municipality, but that is not located within any county with an approved charter or consolidated municipal government, is not located within any municipality, and is not operated by a municipality. The department shall not permit vertical expansion or horizontal expansion of any designated Class I solid waste disposal facility unless the application for such permit was filed before January 1, 1993, and no solid waste management facility may be operated which is a vertical expansion or horizontal expansion of a designated Class I solid waste disposal facility. As used in this subsection, the term "vertical expansion" means any activity that will result in an increase in the height of a designated Class I solid waste disposal facility above 100 feet National Geodetic Vertical Datum, except solely for closure, and the term "horizontal expansion" means any activity that will result in an increase in the ground area covered by a designated Class I solid waste disposal facility, or if within 1 mile of a designated Class I solid waste disposal facility, any new or expanded operation of any solid waste disposal facility or area, or of incineration of solid waste, or of storage of solid waste for more than 1 year, or of composting of solid waste other than yard trash.~~

(9)~~(12)~~ The department shall establish a separate category for solid waste management facilities which accept only construction and demolition debris for disposal or recycling. The department shall establish a reasonable schedule for existing facilities to comply with this section to avoid undue hardship to such facilities. However, a permitted solid waste disposal unit *that* ~~which~~ receives a significant amount of waste prior to the compliance deadline established in this schedule shall not be required to be retrofitted with liners or leachate control systems. Facilities accepting materials defined in *s. 403.703(6)(b)* ~~s. 403.703(17)(b)~~ must implement a groundwater monitoring system adequate to detect contaminants that may reasonably be expected to result from such disposal prior to the acceptance of those materials.

(a) The department shall establish reasonable construction, operation, monitoring, recordkeeping, financial assurance, and closure requirements for such facilities. The department shall take into account the nature of the waste accepted at various facilities when establishing these requirements, and may impose less stringent requirements, including a system of general permits or registration requirements, for facilities that accept only a segregated waste stream which is expected to pose a minimal risk to the environment and public health, such as clean debris. The Legislature recognizes that incidental amounts of other types of solid waste are commonly generated at construction or demolition projects. In any enforcement action taken pursuant to this section, the department shall consider the difficulty of removing these incidental amounts from the waste stream.

(b) The department shall not require liners and leachate collection systems at individual facilities unless it demonstrates, based upon the types of waste received, the methods for controlling types of waste disposed of, the proximity of groundwater and surface water, and the results of the hydrogeological and geotechnical investigations, that the facility is reasonably expected to result in violations of groundwater standards and criteria otherwise.

(c) The owner or operator shall provide financial assurance for closing of the facility in accordance with the requirements of s. 403.7125. The financial assurance shall cover the cost of closing the facility and 5 years of long-term care after closing, unless the department determines, based upon hydrogeologic conditions, the types of wastes received, or the groundwater monitoring results, that a different long-term care period is appropriate. However, unless the owner or operator of the facility is a local government, the escrow account described in *s. 403.7125(2)* ~~s. 403.7125(3)~~ may not be used as a financial assurance mechanism.

(d) The department shall establish training requirements for operators of facilities, and shall work with the State University System or other providers to assure that adequate training courses are available. The department shall also assist the Florida Home Builders Association in establishing a component of its continuing education program to address proper handling of construction and demolition debris, including best management practices for reducing contamination of the construction and demolition debris waste stream.

(e) The issuance of a permit under this subsection does not obviate the need to comply with all applicable zoning and land use regulations.

(f) A permit is not required under this section for the disposal of construction and demolition debris on the property where it is generated, but such property must be covered, graded, and vegetated as necessary when disposal is complete.

(g) It is the policy of the Legislature to encourage facilities to recycle. The department shall establish criteria and guidelines that encourage recycling where practical and provide for the use of recycled materials in a manner that protects the public health and the environment. Facilities are authorized to recycle, provided such activities do not conflict with such criteria and guidelines.

(h) The department shall ensure that the requirements of this section are applied and interpreted consistently throughout the state. In accordance with s. 20.255, the Division of Waste Management shall direct the district offices and bureaus on matters relating to the interpretation and applicability of this section.

(i) The department shall provide notice of receipt of a permit application for the initial construction of a construction and demolition debris disposal facility to the local governments having jurisdiction where the facility is to be located.

(j) The Legislature recognizes that recycling, waste reduction, and resource recovery are important aspects of an integrated solid waste management program and as such are necessary to protect the public health and the environment. If necessary to promote such an integrated program, the county may determine, after providing notice and an opportunity for a hearing prior to December 31, *2006* ~~1996~~ , that *some or all of* the wood material described in *s. 403.703(6)(b)* ~~s. 403.703(17)(b)~~ shall be excluded from the definition of "construction and demolition debris" in *s. 403.703(6)* ~~s. 403.703(17)~~ within the jurisdiction of such county. The county may make such a determination only if it finds that, prior to June 1, *2006* ~~1996~~, the county has established an adequate method for the use or recycling of such wood material at an existing or proposed solid waste management facility that is permitted or authorized by the department on June 1, *2006* ~~1996~~. The county shall not be required to hold a hearing if the county represents that it previously has held a hearing for such purpose, nor shall the county be required to hold a hearing if the county represents that it previously has held a public meeting or hearing that authorized such method for the use or recycling of trash or other nonputrescible waste materials and if the county further represents that such materials include those materials described in *s. 403.703(6)(b)* ~~s. 403.703(17)(b)~~. The county shall provide written notice of its determination to the department by no later than December 31, *2006* ~~1996~~; thereafter, the wood materials described in *s. 403.703(6)(b)* ~~s. 403.703(17)(b)~~ shall be excluded from the definition of "construction and demolition debris" in *s. 403.703(6)* ~~s. 403.703(17)~~ within the jurisdiction of such county. The county may withdraw or revoke its determination at any time by providing written notice to the department.

(k) Brazilian pepper and other invasive exotic plant species as designated by the department resulting from eradication projects may be processed at permitted construction and demolition debris recycling facilities or disposed of at permitted construction and demolition debris disposal facilities or Class III facilities. The department may adopt rules to implement this paragraph.

(10)~~(13)~~ If the department and a local government independently require financial assurance for the closure of a privately owned solid waste management facility, the department and that local government shall enter into an interagency agreement that will allow the owner or operator to provide a single financial mechanism to cover the costs of closure ~~and any required long-term care~~. The financial mechanism may provide for the department and local government to be cobeneficiaries or copayees, but shall not impose duplicative financial requirements on the owner or operator. These closure costs must include at least the minimum required by department rules and must also include any additional costs required by local ordinance or regulation.

(11)~~(14)~~ Before or on the same day of filing with the department of an application for a permit to construct or substantially modify a solid waste management facility, the applicant shall notify the local government having jurisdiction over the facility of the filing of the application. The applicant also shall publish notice of the filing of the application in a newspaper of general circulation in the area where the facility will be located. Notice shall be given and published in accordance with applicable department rules. The department shall not issue the requested permit until the applicant has provided the department with proof that the notices required by this subsection have been given. Issuance of a permit does not relieve an applicant from compliance with local zoning or land use ordinances, or with any other law, rules, or ordinances.

(12)~~(15)~~ Construction and demolition debris must be separated from the solid waste stream and segregated in separate locations at a solid waste disposal facility or other permitted site.

(13)~~(16)~~ No facility, solely by virtue of the fact that it uses processed yard trash or clean wood or paper waste as a fuel source, shall be considered to be a solid waste disposal facility.

Section 25. Section 403.7071, Florida Statutes, is created to read:

403.7071 Management of storm-generated debris.—Solid waste generated as a result of a storm event that is the subject of an emergency order issued by the department may be managed as follows:

(1) The Department of Environmental Protection may issue field authorizations for staging areas in those counties affected by a storm event. Such staging areas may be used for the temporary storage and management of storm-generated debris, including the chipping, grinding, or burning of vegetative debris. Field authorizations may be requested by providing a notice to the local office of the department containing a description of the design and operation of the staging area; the location of the staging area; and the name, address, and telephone number of the site manager. Field authorizations also may be issued by the department staff without prior notice. Written records of all field authorizations shall be created and maintained by department staff. Field authorizations may include specific conditions for the operation and closure of the staging area and shall include a required closure date. A local government shall avoid locating a staging area in wetlands and other surface waters to the greatest extent possible, and the area that is used or affected by a staging area must be fully restored upon cessation of use of the area.

(2) Storm-generated vegetative debris managed at a staging area may be disposed of in a permitted lined or unlined landfill, a permitted land clearing debris facility, or a permitted construction and demolition debris disposal facility. Vegetative debris may also be managed at a permitted waste processing facility or a registered yard trash processing facility.

(3) Construction and demolition debris that is mixed with other storm-generated debris need not be segregated from other solid waste prior to disposal in a lined landfill. Construction and demolition debris that is source-separated or is separated from other hurricane-generated debris at an authorized staging area, or at another area specifically authorized by the department, may be managed at a permitted construction and demolition debris disposal or recycling facility upon approval by the department of the methods and operational practices used to inspect the waste during segregation.

(4) Unsalvageable refrigerators and freezers containing solid waste, such as rotting food, which may create a sanitary nuisance may be disposed of in a permitted lined landfill; however, chlorofluorocarbons and capacitors must be removed and recycled to the greatest extent practicable using techniques and personnel meeting relevant federal requirements.

(5) Local governments may conduct the burning of storm-generated yard trash and other vegetative debris in air-curtain incinerators without prior notice to the department. Demolition debris may also be burned in air-curtain incinerators if the material is limited to untreated wood. Within 10 days after commencing such burning, the local government shall notify the department in writing describing the general nature of the materials burned; the location and method of burning; and the name, address, and telephone number of the representative of the local government to contact concerning the work. The operator of the air-curtain incinerator is subject to any requirement to obtain an open-burning authorization from the Division of Forestry or any other agency empowered to grant such authorization.

Section 26. Section 403.708, Florida Statutes, is amended to read:

403.708 Prohibition; penalty.—

(1) No person shall:

(a) Place or deposit any solid waste in or on the land or waters located within the state except in a manner approved by the department and consistent with applicable approved programs of counties or municipalities. However, nothing in this act shall be construed to prohibit the disposal of solid waste without a permit as provided in s. 403.707(2).

(b) Burn solid waste except in a manner prescribed by the department and consistent with applicable approved programs of counties or municipalities.

(c) Construct, alter, modify, or operate a solid waste management facility or site without first having obtained from the department any permit required by s. 403.707.

(2) No beverage shall be sold or offered for sale within the state in a beverage container designed and constructed so that the container is opened by detaching a metal ring or tab.

(3) For purposes of subsections (2), (9), and (10):

~~(a) "Degradable," with respect to any material, means that such material, after being discarded, is capable of decomposing to components other than heavy metals or other toxic substances, after exposure to bacteria, light, or outdoor elements.~~

(a)~~(b)~~ "Beverage" means soda water, carbonated natural or mineral water, or other nonalcoholic carbonated drinks; soft drinks, whether or not carbonated; beer, ale, or other malt drink of whatever alcoholic content; or a mixed wine drink or a mixed spirit drink.

(b)~~(c)~~ "Beverage container" means an airtight container which at the time of sale contains 1 gallon or less of a beverage, or the metric equivalent of 1 gallon or less, and which is composed of metal, plastic, or glass or a combination thereof.

(4) The Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation may impose a fine of not more than $100 on any person currently licensed pursuant to s. 561.14 for each violation of the provisions of subsection (2). If the violation is of a continuing nature, each day during which such violation occurs shall constitute a separate and distinct offense and shall be subject to a separate fine.

(5) The Department of Agriculture and Consumer Services may impose a fine of not more than $100 on any person not currently licensed pursuant to s. 561.14 for each violation of the provisions of subsection (2). If the violation is of a continuing nature, each day during which such violation occurs shall constitute a separate and distinct offense and shall be subject to a separate fine.

(6) Fifty percent of each fine collected pursuant to subsections (4) and (5) shall be deposited into the Solid Waste Management Trust Fund. The balance of fines collected pursuant to subsection (4) shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund for the use of the division for inspection and enforcement of the provisions of this section. The balance of fines collected pursuant to subsection (5) shall be deposited into the General Inspection Trust Fund for the use of the Department of Agriculture and Consumer Services for inspection and enforcement of the provisions of this section.

(7) The Division of Alcoholic Beverages and Tobacco and the Department of Agriculture and Consumer Services shall coordinate their responsibilities under the provisions of this section to ensure that inspections and enforcement are accomplished in an efficient, cost-effective manner.

(8) A person may not distribute, sell, or expose for sale in this state any plastic bottle or rigid container intended for single use unless such container has a molded label indicating the plastic resin used to produce the plastic container. The label must appear on or near the bottom of the plastic container product and be clearly visible. This label must consist of a number placed inside a triangle and letters placed below the triangle. The triangle must be equilateral and must be formed by three arrows, and, in the middle of each arrow, there must be a rounded bend that forms one apex of the triangle. The pointer, or arrowhead, of each arrow must be at the midpoint of a side of the triangle, and a short gap must separate each pointer from the base of the adjacent arrow. The three curved arrows that form the triangle must depict a clockwise path around the code number. Plastic bottles of less than 16 ounces, rigid plastic containers of less than 8 ounces, and plastic casings on lead-acid storage batteries are not required to be labeled under this section. The numbers and letters must be as follows:

(a) For polyethylene terephthalate, the letters "PETE" and the number 1.

(b) For high-density polyethylene, the letters "HDPE" and the number 2.

(c) For vinyl, the letter "V" and the number 3.

(d) For low-density polyethylene, the letters "LDPE" and the number 4.

(e) For polypropylene, the letters "PP" and the number 5.

(f) For polystyrene, the letters "PS" and the number 6.

(g) For any other, the letters "OTHER" and the number 7.

(9) No person shall distribute, sell, or expose for sale in this state any product packaged in a container or packing material manufactured with fully halogenated chlorofluorocarbons (CFC). Producers of containers or packing material manufactured with chlorofluorocarbons (CFC) are urged to introduce alternative packaging materials which are environmentally compatible.

(10) The packaging of products manufactured or sold in the state may not be controlled by governmental rule, regulation, or ordinance adopted after March 1, 1974, other than as expressly provided in this act.

(11) Violations of this part or rules, regulations, permits, or orders issued thereunder by the department and violations of approved local programs of counties or municipalities or rules, regulations, or orders issued thereunder shall be punishable by a civil penalty as provided in s. 403.141.

(12) The department or any county or municipality may also seek to enjoin the violation of, or enforce compliance with, this part or any program adopted hereunder as provided in s. 403.131.

(13) In accordance with the following schedule, no person who knows or who should know of the nature of such solid waste shall dispose of such solid waste in landfills:

(a) Lead-acid batteries~~, after January 1, 1989~~ . Lead-acid batteries also *may* ~~shall~~ not be disposed of in any waste-to-energy facility ~~after January 1, 1989~~. To encourage proper collection and recycling, all persons who sell lead-acid batteries at retail shall accept used lead-acid batteries as trade-ins for new lead-acid batteries.

(b) Used oil~~, after October 1, 1988~~.

(c) Yard trash~~, after January 1, 1992,~~ except in *lined* ~~unlined~~ landfills classified by department rule *as Class I landfills*. Yard trash that is source separated from solid waste may be accepted at a solid waste disposal area where the area provides and maintains separate yard trash composting facilities. The department recognizes that incidental amounts of yard trash may be disposed of in *Class I* ~~lined~~ landfills. In any enforcement action taken pursuant to this paragraph, the department shall consider the difficulty of removing incidental amounts of yard trash from a mixed solid waste stream.

(d) White goods~~, after January 1, 1990~~.

~~Prior to the effective dates specified in paragraphs (a)-(d), the department shall identify and assist in developing alternative disposal, processing, or recycling options for the solid wastes identified in paragraphs (a)-(d).~~

Section 27. Section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(1) ~~From~~ The annual revenues deposited in the trust fund, unless otherwise specified in the General Appropriations Act*, shall be used for the following purposes*:

(a)~~(1)~~ ~~Up to 40 percent shall be used for~~ Funding solid waste activities of the department and other state agencies, such as providing technical assistance to local governments and the private sector, performing solid waste regulatory and enforcement functions, preparing solid waste documents, and implementing solid waste education programs.

(b)~~(2)~~ ~~Up to 4.5 percent shall be used for~~ Funding research and training programs relating to solid waste management through the Center for Solid and Hazardous Waste Management and other organizations which can reasonably demonstrate the capability to carry out such projects.

(c)~~(3)~~ ~~Up to 11 percent shall be used for~~ Funding to supplement any other funds provided to the Department of Agriculture and Consumer Services for mosquito control. This distribution shall be annually transferred to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services to be used for mosquito control, especially control of West Nile Virus.

(d)~~(4)~~ ~~Up to 4.5 percent shall be used for~~ Funding to the Department of Transportation for litter prevention and control programs ~~coordinated by Keep Florida Beautiful, Inc~~.

(e)~~(5)~~ ~~A minimum of 40 percent shall be used for~~ Funding a competitive and innovative grant program pursuant to s. 403.7095 for activities relating to recycling and reducing the volume of municipal solid waste, including waste tires requiring final disposal.

(2)~~(6)~~ The department shall recover to the use of the fund from the site owner or the person responsible for the accumulation of tires at the site, jointly and severally, all sums expended from the fund pursuant to this section to manage tires at an illegal waste tire site, except that the department may decline to pursue such recovery if it finds the amount involved too small or the likelihood of recovery too uncertain. If a court determines that the owner is unable or unwilling to comply with the rules adopted pursuant to this section or s. 403.717, the court may authorize the department to take possession and control of the waste tire site in order to protect the health, safety, and welfare of the community and the environment.

(3)~~(7)~~ The department may impose a lien on the real property on which the waste tire site is located and the waste tires equal to the estimated cost to bring the tire site into compliance, including attorney's fees and court costs. Any owner whose property has such a lien imposed may release her or his property from any lien claimed under this subsection by filing with the clerk of the circuit court a cash or surety bond, payable to the department in the amount of the estimated cost of bringing the tire site into compliance with department rules, including attorney's fees and court costs, or the value of the property after the abatement action is complete, whichever is less. *No lien provided by this subsection shall continue for a period longer than 4 years after the completion of the abatement action unless within that time an action to enforce the lien is commenced in a court of competent jurisdiction. The department may take action to enforce the lien in the same manner used for construction liens under part I of chapter 713.*

(4)~~(8)~~ This section does not limit the use of other remedies available to the department.

Section 28. Subsection (5) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

(5) From the funds made available pursuant to *s. 403.709(1)(e)* ~~s. 403.709(5)~~ for the grant program created by this section, the following distributions shall be made:

(a) Up to 15 percent for the program described in subsection (1);

(b) Up to 35 percent for the program described in subsection (3); and

(c) Up to 50 percent for the program described in subsection (4).

Section 29. Section 403.7125, Florida Statutes, is amended to read:

403.7125 *Financial assurance for closure* ~~Landfill management escrow account.~~—

~~(1) As used in this section:~~

~~(a) "Landfill" means any solid waste land disposal area for which a permit, other than a general permit, is required by s. 403.707 that receives solid waste for disposal in or upon land other than a land-spreading site, injection well, or a surface impoundment.~~

~~(b) "Closure" means the ceasing operation of a landfill and securing such landfill so that it does not pose a significant threat to public health or the environment and includes long-term monitoring and maintenance of a landfill.~~

~~(c) "Owner or operator" means, in addition to the usual meanings of the term, any owner of record of any interest in land whereon a landfill is or has been located and any person or corporation which owns a majority interest in any other corporation which is the owner or operator of a landfill.~~

(1)~~(2)~~ Every owner or operator of a landfill is jointly and severally liable for the improper operation and closure of the landfill, as provided by law. *As used in this section, the term "owner or operator" means any owner of record of any interest in land wherein a landfill is or has been located and any person or corporation that owns a majority interest in any other corporation that is the owner or operator of a landfill.*

(2)~~(3)~~ The owner or operator of a landfill *owned or operated by a local or state government or the Federal Government* shall establish a fee, or a surcharge on existing fees or other appropriate revenue-producing mechanism, to ensure the availability of financial resources for the proper closure of the landfill. However, the disposal of solid waste by persons on their own property, as described in s. 403.707(2), is exempt from the provisions of this section.

(a) The revenue-producing mechanism must produce revenue at a rate sufficient to generate funds to meet state and federal landfill closure requirements.

(b) The revenue shall be deposited in an interest-bearing escrow account to be held and administered by the owner or operator. The owner or operator shall file with the department an annual audit of the account. The audit shall be conducted by an independent certified public accountant. Failure to collect or report such revenue, except as allowed in subsection *(3)* ~~(4)~~, is a noncriminal violation punishable by a fine of not more than $5,000 for each offense. The owner or operator may make expenditures from the account and its accumulated interest only for the purpose of landfill closure and, if such expenditures do not deplete the fund to the detriment of eventual closure, for planning and construction of resource recovery or landfill facilities. Any moneys remaining in the account after paying for proper and complete closure, as determined by the department, shall, if the owner or operator does not operate a landfill, be deposited by the owner or operator into the general fund or the appropriate solid waste fund of the local government of jurisdiction.

(c) The revenue generated under this subsection and any accumulated interest thereon may be applied to the payment of, or pledged as security for, the payment of revenue bonds issued in whole or in part for the purpose of complying with state and federal landfill closure requirements. Such application or pledge may be made directly in the proceedings authorizing such bonds or in an agreement with an insurer of bonds to assure such insurer of additional security therefor.

(d) The provisions of s. 212.055 that relate to raising of revenues for landfill closure or long-term maintenance do not relieve a landfill owner or operator from the obligations of this section.

(e) The owner or operator of any landfill that had established an escrow account in accordance with this section and the conditions of its permit prior to January 1, 2006, may continue to use that escrow account to provide financial assurance for closure of that landfill, even if that landfill is not owned or operated by a local or state government or the Federal Government.

(3)~~(4)~~ An owner or operator *of a landfill owned or operated by a local or state government or by the Federal Government* may *provide financial assurance to* ~~establish proof of financial responsibility with~~ the department in lieu of the requirements of subsection *(2)* ~~(3)~~. *An owner or operator of any other landfill, or any other solid waste management facility designated by department rule, shall provide financial assurance to the department for the closure of the facility.* Such *financial assurance* ~~proof~~ may include surety bonds, certificates of deposit, securities, letters of credit, or other documents showing that the owner or operator has sufficient financial resources to cover, at a minimum, the costs of complying with *applicable* ~~landfill~~ closure requirements. The owner or operator shall estimate such costs to the satisfaction of the department.

(4)~~(5)~~ This section does not repeal, limit, or abrogate any other law authorizing local governments to fix, levy, or charge rates, fees, or charges for the purpose of complying with state and federal landfill closure requirements.

(5)~~(6)~~ The department shall adopt rules to implement this section.

Section 30. Section 403.716, Florida Statutes, is amended to read:

403.716 Training of operators of solid waste management and other facilities.—

(1) The department shall establish qualifications for, and encourage the development of training programs for, operators of landfills, coordinators of local recycling programs, ~~operators of waste-to-energy facilities, biomedical waste incinerators, and mobile soil thermal treatment units or facilities,~~ and operators of other solid waste management facilities.

(2) The department shall work with accredited community colleges, career centers, state universities, and private institutions in developing educational materials, courses of study, and other such information to be made available for persons seeking to be trained as operators of solid waste management facilities.

(3) A person may not perform the duties of an operator of a landfill~~, or perform the duties of an operator of a waste-to-energy facility, biomedical waste incinerator, or mobile soil thermal treatment unit or facility,~~ unless she or he has completed an operator training course approved by the department or she or he has qualified as an interim operator in compliance with requirements established by the department by rule. An owner of a landfill~~, waste-to-energy facility, biomedical waste incinerator, or mobile soil thermal treatment unit or facility~~ may not employ any person to perform the duties of an operator unless such person has completed an approved landfill~~, waste-to-energy facility, biomedical waste incinerator, or mobile soil thermal treatment unit or facility~~ operator training course, as appropriate, or has qualified as an interim operator in compliance with requirements established by the department by rule. The department may establish by rule operator training requirements for other solid waste management facilities and facility operators.

(4) The department has authority to adopt minimum standards and other rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section. The department shall ensure the safe, healthy, and lawful operation of solid waste management facilities in this state. The department may establish by rule various classifications for operators to cover the need for differing levels of training required to operate various types of solid waste management facilities due to different operating requirements at such facilities.

(5) For purposes of this section, the term "operator" means any person, including the owner, who is principally engaged in, and is in charge of, the actual operation, supervision, and maintenance of a solid waste

management facility and includes the person in charge of a shift or period of operation during any part of the day.

Section 31. Section 403.717, Florida Statutes, is amended to read:

403.717 Waste tire and lead-acid battery requirements.—

(1) For purposes of this section and ss. 403.718 and 403.7185:

(a) "Department" means the Department of Environmental Protection.

(b) "Motor vehicle" means an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated in this state, used to transport persons or property and propelled by power other than muscular power, but the term does not include traction engines, road rollers, such vehicles as run only upon a track, bicycles, mopeds, or farm tractors and trailers.

(c) "Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle.

(d) "Waste tire" means a tire that has been removed from a motor vehicle and has not been retreaded or regrooved. "Waste tire" includes, but is not limited to, used tires and processed tires. *The term does not include solid rubber tires and tires that are inseparable from the rim.*

(e) "Waste tire collection center" means a site where waste tires are collected from the public prior to being offered for recycling and where fewer than 1,500 tires are kept on the site on any given day.

(f) "Waste tire processing facility" means a site where equipment is used to *treat waste tires mechanically, chemically, or thermally so that the resulting material is a marketable product or is suitable for proper disposal* ~~recapture reusable byproducts from waste tires or to cut, burn, or otherwise alter waste tires so that they are no longer whole~~. The term includes mobile waste tire processing equipment.

(g) "Waste tire site" means a site at which 1,500 or more waste tires are accumulated.

(h) "Lead-acid battery" means *a* ~~those~~ lead-acid *battery* ~~batteries~~ designed for use in motor vehicles, vessels, and aircraft, and includes such batteries when sold new as a component part of a motor vehicle, vessel, or aircraft, but not when sold to recycle components.

(i) "Indoor" means within a structure *that* ~~which~~ excludes rain and public access and would control air flows in the event of a fire.

(j) "Processed tire" means a tire that has been treated mechanically, chemically, or thermally so that the resulting material is a marketable product or is suitable for proper disposal.

(k) "Used tire" means a waste tire which has a minimum tread depth of 3/32 inch or greater and is suitable for use on a motor vehicle.

(2) The owner or operator of any waste tire site shall provide the department with information concerning the site's location, size, and the approximate number of waste tires that are accumulated at the site and shall initiate steps to comply with subsection (3).

(3)(a) A person may not maintain a waste tire site unless such site is:

1. An integral part of the person's permitted waste tire processing facility; or

2. Used for the storage of waste tires prior to processing and is located at a permitted solid waste management facility.

(b) It is unlawful for any person to dispose of waste tires or processed tires in the state except at a permitted solid waste management facility. Collection or storage of waste tires at a permitted waste tire processing facility or waste tire collection center prior to processing or use does not constitute disposal, provided that the collection and storage complies with rules established by the department.

(c) Whole waste tires may not be deposited in a landfill as a method of ultimate disposal.

(d) A person may not contract with a waste tire collector for the transportation, disposal, or processing of waste tires unless the collector is registered with the department or exempt from requirements provided under this section. Any person who contracts with a waste tire collector for the transportation of more than 25 waste tires per month from a single business location must maintain records for that location and make them available for review by the department or by law enforcement officers, which records must contain the date when the tires were transported, the quantity of tires, the registration number of the collector, and the name of the driver.

(4) The department shall adopt rules to carry out the provisions of this section and s. 403.718. Such rules shall:

(a) Provide for the administration or revocation of waste tire processing facility permits, including mobile processor permits;

(b) Provide for the administration or revocation of waste tire collector registrations, the fees for which may not exceed $50 per vehicle registered annually;

(c) Provide for the administration or revocation of waste tire collection center permits, the fee for which may not exceed $250 annually;

(d) Set standards, including financial assurance standards, for waste tire processing facilities and associated waste tire sites, waste tire collection centers, waste tire collectors, and for the storage of waste tires and processed tires, including storage indoors;

(e) The department may by rule exempt not-for-hire waste tire collectors and processing facilities from financial assurance requirements;

(f) Authorize the final disposal of waste tires at a permitted solid waste disposal facility provided the tires have been cut into sufficiently small parts to assure their proper disposal; and

(g) Allow waste tire material which has been cut into sufficiently small parts to be used as daily cover material for a landfill.

~~(5) A permit is not required for tire storage at:~~

~~(a) A tire retreading business where fewer than 1,500 waste tires are kept on the business premises;~~

~~(b) A business that, in the ordinary course of business, removes tires from motor vehicles if fewer than 1,500 of these tires are kept on the business premises; or~~

~~(c) A retail tire-selling business which is serving as a waste tire collection center if fewer than 1,500 waste tires are kept on the business premises.~~

(5)~~(6)~~(a) The department shall encourage the voluntary establishment of waste tire collection centers at retail tire-selling businesses, waste tire processing facilities, and solid waste disposal facilities, to be open to the public for the deposit of waste tires.

(b) The department is authorized to establish an incentives program for individuals to encourage them to return their waste tires to a waste tire collection center. The incentives used by the department may involve the use of discount or prize coupons, prize drawings, promotional giveaways, or other activities the department determines will promote collection, reuse, volume reduction, and proper disposal of waste tires.

(c) The department may contract with a promotion company to administer the incentives program.

Section 32. Section 403.7221, Florida Statutes, is transferred, renumbered as section 403.70715, Florida Statutes, and amended to read:

403.70715 ~~403.7221~~ Research, development, and demonstration permits.—

(1) The department may issue a research, development, and demonstration permit to the owner or operator of any solid waste management facility*, including any hazardous waste management facility,* who proposes to utilize an innovative and experimental solid waste treatment technology or process for which permit standards have not been promulgated. Permits shall:

(a) Provide for construction and operation of the facility for not longer than *3 years* ~~1 year~~, renewable no more than 3 times.

(b) Provide for the receipt and treatment by the facility of only those types and quantities of solid waste which the department deems necessary for purposes of determining the performance capabilities of the technology or process and the effects of such technology or process on human health and the environment.

(c) Include requirements the department deems necessary which may include monitoring, operation, testing, financial responsibility, closure, and remedial action.

(2) The department may apply the criteria set forth in this section in establishing the conditions of each permit without separate establishment of rules implementing such criteria.

(3) For the purpose of expediting review and issuance of permits under this section, the department may, consistent with the protection of human health and the environment, modify or waive permit application and permit issuance requirements, except that there shall be no modification or waiver of regulations regarding financial responsibility or of procedures established regarding public participation.

(4) The department may order an immediate termination of all operations at the facility at any time upon a determination that termination is necessary to protect human health and the environment.

Section 33. Subsection (2) of section 403.201, Florida Statutes, is amended to read:

403.201 Variances.—

(2) No variance shall be granted from any provision or requirement concerning discharges of waste into waters of the state or hazardous waste management which would result in the provision or requirement being less stringent than a comparable federal provision or requirement, except as provided in *s. 403.70715* ~~s. 403.7221~~.

Section 34. Section 403.722, Florida Statutes, is amended to read:

403.722 Permits; hazardous waste disposal, storage, and treatment facilities.—

(1) Each person who intends to *or is required to* construct, modify, operate, or close a hazardous waste disposal, storage, or treatment facility shall obtain a construction permit, operation permit, postclosure permit, clean closure plan approval, or corrective action permit from the department prior to constructing, modifying, operating, or closing the facility. By rule, the department may provide for the issuance of a single permit instead of any two or more hazardous waste facility permits.

(2) Any owner or operator of a hazardous waste facility in operation on the effective date of the department rule listing and identifying hazardous wastes shall file an application for a temporary operation permit within 6 months after the effective date of such rule. The department, upon receipt of a properly completed application, shall identify any department rules which are being violated by the facility and shall establish a compliance schedule. However, if the department determines that an imminent hazard exists, the department may take any necessary action pursuant to s. 403.726 to abate the hazard. The department shall issue a temporary operation permit to such facility within the time constraints of s. 120.60 upon submission of a properly completed application which is in conformance with this subsection. Temporary operation permits for such facilities shall be issued for up to 3 years only. Upon termination of the temporary operation permit and upon proper application by the facility owner or operator, the department shall issue an operation permit for such existing facilities if the applicant has corrected all of the deficiencies identified in the temporary operation permit and is in compliance with all other rules adopted pursuant to this act.

(3) ~~Permit~~ Applicants shall provide any information *that* ~~which~~ will enable the department to determine that the proposed construction, modification, operation, ~~or~~ closure*, or corrective action* will comply with this act and any applicable rules. In no instance shall any person construct, modify, operate, or close a facility *or perform corrective actions at a facility* in contravention of the standards, requirements, or criteria for a hazardous waste facility. *Authorizations* ~~Permits~~ issued under this section may include any permit conditions necessary to achieve compliance with applicable hazardous waste rules and necessary to protect human health and the environment.

(4) The department may require, in *an* ~~a permit~~ application, submission of information concerning matters specified in s. 403.721(6) as well as information respecting:

(a) Estimates of the composition, quantity, and concentration of any hazardous waste identified or listed under this act or combinations of any such waste and any other solid waste~~,~~ proposed to be disposed of, treated, transported, or stored and the time, frequency, or rate at which such waste is proposed to be disposed of, treated, transported, or stored; and

(b) The site to which such hazardous waste or the products of treatment of such hazardous waste will be transported and at which it will be disposed of, treated, or stored.

(5) *An authorization* ~~A permit~~ issued pursuant to this section is not a vested right. The department may revoke or modify any such *authorization* ~~permit~~.

(a) *Authorizations* ~~Permits~~ may be revoked for failure of the holder to comply with the provisions of this act, the terms of the *authorization* ~~permit~~, the standards, requirements, or criteria adopted pursuant to this act, or an order of the department; for refusal by the holder to allow lawful inspection; for submission by the holder of false or inaccurate information in the permit application; or if necessary to protect the public health or the environment.

(b) *Authorizations* ~~Permits~~ may be modified, upon request of the *holder* ~~permittee~~, if such modification is not in violation of this act or department rules or if the department finds the modification necessary to enable the facility to remain in compliance with this act and department rules.

(c) An owner or operator of a hazardous waste facility in existence on the effective date of a department rule changing an exemption or listing and identifying the hazardous wastes *that* ~~which~~ require that facility to be permitted who notifies the department pursuant to s. 403.72, and who has applied for a permit *pursuant to subsection (2)*, may continue to *operate until* ~~be~~ issued a temporary operation permit. *If such owner or operator intends to or is required to discontinue operation, the temporary operation permit must include final closure conditions.*

(6) A hazardous waste facility permit issued pursuant to this section shall satisfy the permit requirements of s. 403.707(1). The permit exemptions provided in s. 403.707(2) shall not apply to hazardous waste.

(7) The department may establish ~~permit~~ application procedures for hazardous waste facilities, which procedures may vary based on differences in amounts, types, and concentrations of hazardous waste and on differences in the size and location of facilities and which procedures may take into account permitting procedures of other laws not in conflict with this act.

(8) For *authorizations* ~~permits~~ required by this section, the department may require that a fee be paid and may establish, by rule, a fee schedule based on the degree of hazard and the amount and type of hazardous waste disposed of, stored, or treated at the facility.

(9) It shall not be a requirement for the issuance of ~~such~~ a *hazardous waste authorization* ~~permit~~ that the facility complies with an adopted local government comprehensive plan, local land use ordinances, zoning ordinances or regulations, or other local ordinances. However, such *an authorization* ~~a permit~~ issued by the department shall not override adopted local government comprehensive plans, local land use ordinances, zoning ordinances or regulations, or other local ordinances.

(10) Notwithstanding ss. 120.60(1) and 403.815:

(a) The time specified by law for permit review shall be tolled by the request of the department for publication of notice of proposed agency action to issue a permit for a hazardous waste treatment, storage, or disposal facility and shall resume 45 days after receipt by the department of proof of publication. If, within 45 days after publication of the notice of the proposed agency action, the department receives written notice of opposition to the intention of the agency to issue such permit and receives a request for a hearing, the department shall provide for a

hearing pursuant to ss. 120.569 and 120.57, if requested by a substantially affected party, or an informal public meeting, if requested by any other person. The failure to request a hearing within 45 days after publication of the notice of the proposed agency action constitutes a waiver of the right to a hearing under ss. 120.569 and 120.57. The permit review time period shall continue to be tolled until the completion of such hearing or meeting and shall resume within 15 days after conclusion of a public hearing held on the application or within 45 days after the recommended order is submitted to the agency and the parties, whichever is later.

(b) Within 60 days after receipt of an application for a hazardous waste facility permit, the department shall examine the application, notify the applicant of any apparent errors or omissions, and request any additional information the department is permitted by law to require. The failure to correct an error or omission or to supply additional information shall not be grounds for denial of the permit unless the department timely notified the applicant within the 60-day period, except that this paragraph does not prevent the department from denying an application if the department does not possess sufficient information to ensure that the facility is in compliance with applicable statutes and rules.

(c) The department shall approve or deny each hazardous waste facility permit within 135 days after receipt of the original application or after receipt of the requested additional information or correction of errors or omissions. However, the failure of the department to approve or deny within the 135-day time period does not result in the automatic approval or denial of the permit and does not prevent the inclusion of specific permit conditions which are necessary to ensure compliance with applicable statutes and rules. If the department fails to approve or deny the permit within the 135-day period, the applicant may petition for a writ of mandamus to compel the department to act consistently with applicable regulatory requirements.

(11) Hazardous waste facility operation permits shall be issued for no more than 5 years.

(12) On the same day of filing with the department of an application for a permit for the construction modification, or operation of a hazardous waste facility, the applicant shall notify each city and county within 1 mile of the facility of the filing of the application and shall publish notice of the filing of the application. The applicant shall publish a second notice of the filing within 14 days after the date of filing. Each notice shall be published in a newspaper of general circulation in the county in which the facility is located or is proposed to be located. Notwithstanding the provisions of chapter 50, for purposes of this section, a "newspaper of general circulation" shall be the newspaper within the county in which the installation or facility is proposed which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notice shall appear in both the newspaper with the largest daily circulation in that county, and a newspaper authorized to publish legal notices in that county. The notice shall contain:

(a) The name of the applicant and a brief description of the project and its location.

(b) The location of the application file and when it is available for public inspection.

The notice shall be prepared by the applicant and shall comply with the following format:

Notice of Application

The Department of Environmental Protection announces receipt of an application for a permit from (name of applicant) to (brief description of project). This proposed project will be located at (location) in (county) (city).

This application is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at (name and address of office).

(13) A permit for the construction, modification, or operation of a hazardous waste facility which initially was issued under authority of this section, may not be transferred by the permittee to any other entity, except in conformity with the requirements of this subsection.

(a) At least 30 days prior to the sale or legal transfer of a permitted facility, the permittee shall file with the department an application for transfer of the permits on such form as the department shall establish by rule. The form must be completed with the notarized signatures of both the transferring permittee and the proposed permittee.

(b) The department shall approve the transfer of a permit unless it determines that the proposed permittee has not provided reasonable assurances that the proposed permittee has the administrative, technical, and financial capability to properly satisfy the requirements and conditions of the permit, as determined by department rule. The determination shall be limited solely to the ability of the proposed permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of the permit conditions. If the department proposes to deny the transfer, it shall provide both the transferring permittee and the proposed permittee a written objection to such transfer together with notice of a right to request a proceeding on such determination under chapter 120.

(c) Within 90 days after receiving a properly completed application for transfer of permit, the department shall issue a final determination. The department may toll the time for making a determination on the transfer by notifying both the transferring permittee and the proposed permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days after receipt of an application for transfer of permit, completed pursuant to paragraph (a). However, the failure of the department to approve or deny within the 90-day time period does not result in the automatic approval or denial of the transfer. If the department fails to approve or deny the transfer within the 90-day period, the applicant may petition for a writ of mandamus to compel the department to act consistently with applicable regulatory requirements.

(d) The transferring permittee is encouraged to apply for a permit transfer well in advance of the sale or legal transfer of a permitted facility. However, the transfer or the permit shall not be effective prior to the sale or legal transfer of the facility.

(e) Until the transfer of the permit is approved by the department, the transferring permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. Nothing in this section shall relieve the transferring permittee of liability for corrective actions that may be required as a result of any violations occurring prior to the legal transfer of the permit.

Section 35. Subsection (2) of section 403.7226, Florida Statutes, is amended to read:

403.7226 Technical assistance by the department.—The department shall:

(2) Identify short-term needs and long-term needs for hazardous waste management for the state on the basis of the information gathered through the local hazardous waste management assessments and other information from state and federal regulatory agencies and sources. The state needs assessment must be ongoing and must be updated when new data concerning waste generation and waste management technologies become available. ~~The department shall annually send a copy of this assessment to the Governor and to the Legislature.~~

Section 36. Subsection (3) of section 403.724, Florida Statutes, is amended to read:

403.724 Financial responsibility.—

(3) The amount of financial responsibility required shall be approved by the department upon each issuance, renewal, or modification of a hazardous waste facility *authorization* ~~permit~~. Such factors as inflation rates and changes in operation may be considered when approving financial responsibility for the duration of the *authorization* ~~permit~~. The Office of Insurance Regulation of the *Department of* Financial Services ~~Commission~~ shall be available to assist the department in making this determination. In approving or modifying the amount of financial responsibility, the department shall consider:

(a) The amount and type of hazardous waste involved;

(b) The probable damage to human health and the environment;

(c) The danger and probable damage to private and public property near the facility;

(d) The probable time that the hazardous waste and facility involved will endanger the public health, safety, and welfare or the environment; and

(e) The probable costs of properly closing the facility *and performing corrective action*.

Section 37. Section 403.7255, Florida Statutes, is amended to read:

403.7255 *Placement of signs* ~~Department to adopt rules~~.—

(1) ~~The department shall adopt rules which establish requirements and procedures for the placement of~~ Signs *must be placed by the owner or operator* at ~~sites which may have been contaminated by hazardous wastes. Sites shall include~~ any site in the state *which* ~~that~~ is listed or proposed for listing on the Superfund Site List of the United States Environmental Protection Agency or any site identified by the department as a ~~suspected or confirmed contaminated~~ site *contaminated by hazardous waste* where there *is* ~~may be~~ a risk of exposure to the public. The requirements of this section shall not apply to sites reported under ss. 376.3071 and 376.3072. *The department shall establish requirements and procedures for the placement of signs, and may do so in rules, permits, orders, or other authorizations.* The *authorization* ~~rules~~ shall establish the appropriate size for such signs, which size shall be no smaller than 2 feet by 2 feet, and shall provide in clearly legible print appropriate warning language for the waste or other materials at the site and a telephone number which may be called for further information.

(2) Violations of this act are punishable as provided in s. 403.161(4).

(3) The provisions of this act are independent of and cumulative to any other requirements and remedies in this chapter or chapter 376, or any rules promulgated thereunder.

Section 38. Subsection (5) of section 403.726, Florida Statutes, is amended to read:

403.726 Abatement of imminent hazard caused by hazardous substance.—

(5) The department may issue a permit *or order* requiring prompt abatement of an imminent hazard.

Section 39. Subsection (8) of section 403.7265, Florida Statutes, is amended to read:

403.7265 Local hazardous waste collection program.—

(8) The department has the authority to establish an additional local project grant program enabling a local hazardous waste collection center grantee to receive funding for unique projects that improve the collection and lower the incidence of improper management of conditionally exempt or household hazardous waste. Eligible local governments may receive up to $50,000 in grant funds for these unique and innovative projects, provided they match *25 percent of* the grant amount. *If the department finds that the project has statewide applicability and immediate benefits to other local hazardous waste collection programs in the state, matching funds are not required.* This grant will not count toward the $100,000 maximum grant amount for development of a collection center.

Section 40. Section 403.885, Florida Statutes, is amended to read:

403.885 ~~Stormwater management; wastewater management; and Water Restoration~~ *Water Projects* Grant Program.—

(1) The Department of Environmental Protection shall administer a grant program to use funds transferred pursuant to s. 212.20 to the Ecosystem Management and Restoration Trust Fund or other moneys as appropriated by the Legislature for stormwater management, wastewater management, ~~and~~ water restoration *and other water projects as specifically appropriated by the Legislature* ~~project grants~~ . Eligible recipients of such grants include counties, municipalities, water management districts, and special districts that have legal responsibilities for *water quality improvement,* storm water management, wastewater management, ~~and~~ *lake and river* water restoration projects~~.~~*, and* drinking water projects ~~are not eligible for funding~~ pursuant to this section.

(2) The grant program shall provide for the evaluation of annual grant proposals. The department shall evaluate such proposals to determine if they:

(a) Protect public health and the environment.

(b) Implement plans developed pursuant to the Surface Water Improvement and Management Act created in part IV of chapter 373, other water restoration plans required by law, management plans prepared pursuant to s. 403.067, or other plans adopted by local government for water quality improvement and water restoration.

~~(3) In addition to meeting the criteria in subsection (2), annual grant proposals must also meet the following requirements:~~

~~(a) An application for a stormwater management project may be funded only if the application is approved by the water management district with jurisdiction in the project area. District approval must be based on a determination that the project provides a benefit to a priority water body.~~

~~(b) Except as provided in paragraph (c), an application for a wastewater management project may be funded only if:~~

~~1. The project has been funded previously through a line item in the General Appropriations Act; and~~

~~2. The project is under construction.~~

~~(c) An application for a wastewater management project that would qualify as a water pollution control project and activity in s. 403.1838 may be funded only if the project sponsor has submitted an application to the department for funding pursuant to that section.~~

~~(4) All project applicants must provide local matching funds as follows:~~

~~(a) An applicant for state funding of a stormwater management project shall provide local matching funds equal to at least 50 percent of the total cost of the project; and~~

~~(b) An applicant for state funding of a wastewater management project shall provide matching funds equal to at least 25 percent of the total cost of the project.~~

~~The requirement for matching funds may be waived if the applicant is a financially disadvantaged small local government as defined in subsection (5).~~

~~(5) Each fiscal year, at least 20 percent of the funds available pursuant to this section shall be used for projects to assist financially disadvantaged small local governments. For purposes of this section, the term "financially disadvantaged small local government" means a municipality having a population of 7,500 or less, a county having a population of 35,000 or less, according to the latest decennial census and a per capita annual income less than the state per capita annual income as determined by the United States Department of Commerce, or a county in an area designated by the Governor as a rural area of critical economic concern pursuant to s. 288.0656. Grants made to these eligible local governments shall not require matching local funds.~~

~~(6) Each year, stormwater management and wastewater management projects submitted for funding through the legislative process shall be submitted to the department by the appropriate fiscal committees of the House of Representatives and the Senate. The department shall review the projects and must provide each fiscal committee with a list of projects that appear to meet the eligibility requirements under this grant program.~~

Section 41. Paragraph (e) of subsection (3) of section 373.1961, Florida Statutes, is amended to read:

373.1961 Water production; general powers and duties; identification of needs; funding criteria; economic incentives; reuse funding.—

(3) FUNDING.—

(e) Applicants for projects that may receive funding assistance pursuant to the Water Protection and Sustainability Program shall, at a minimum, be required to pay 60 percent of the project's construction

costs. The water management districts may, at their discretion, totally or partially waive this requirement for projects sponsored by financially disadvantaged small local governments ~~as defined in s. 403.885(4)~~. The water management districts or basin boards may, at their discretion, use ad valorem or federal revenues to assist a project applicant in meeting the requirements of this paragraph.

Section 42. Paragraph (b) of subsection (1) of section 206.606, Florida Statutes, is amended to read:

206.606 Distribution of certain proceeds.—

(1) Moneys collected pursuant to ss. 206.41(1)(g) and 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.41, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund, except that:

(b) $2.5 million shall be transferred to the State Game Trust Fund in the Fish and Wildlife Conservation Commission in each fiscal year and used for recreational boating activities, and freshwater fisheries management and research. The transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. The commission shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where, due to the number of vessel registrations, sufficient financial resources are unavailable.

1. A minimum of $1.25 million shall be used to fund local projects to provide recreational channel marking *and other uniform waterway markers*, *public boat ramps, lifts, and hoists, marine railways, and other* public launching facilities, *derelict vessel removal* ~~aquatic plant control~~, and other local boating related activities. In funding the projects, the commission shall give priority consideration as follows:

a. Unmet needs in counties with populations of 100,000 or less.

b. Unmet needs in coastal counties with a high level of boating related activities from individuals residing in other counties.

2. The remaining $1.25 million may be used for recreational boating activities and freshwater fisheries management and research.

3. The commission is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement a Florida Boating Improvement Program ~~similar to the program administered by the Department of Environmental Protection and established in rules 62D-5.031 - 62D-5.036, Florida Administrative Code, to determine projects eligible for funding under this subsection~~.

On February 1 of each year, the commission shall file an annual report with the President of the Senate and the Speaker of the House of Representatives outlining the status of its Florida Boating Improvement Program, including the projects funded, and a list of counties whose needs are unmet due to insufficient financial resources from vessel registration fees.

Section 43. Section 327.59, Florida Statutes, is amended to read:

327.59 Marina evacuations.—

(1) After June 1, 1994, marinas may not adopt, maintain, or enforce policies pertaining to evacuation of vessels which require vessels to be removed from marinas following the issuance of a hurricane watch or warning, in order to ensure that protecting the lives and safety of vessel owners is placed before interests of protecting property.

(2) Nothing in this section may be construed to restrict the ability of an owner of a vessel or the owner's authorized representative to remove a vessel voluntarily from a marina at any time or to restrict a marina owner from dictating the kind of cleats, ropes, fenders, and other measures that must be used on vessels as a condition of use of a marina. *After a tropical storm or hurricane watch has been issued, a marina owner or operator, or an employee or agent of such owner or operator, may take reasonable actions to further secure any vessel within the marina to minimize damage to a vessel and to protect marina property, private property, and the environment and may charge a reasonable fee for such services.*

(3) Notwithstanding any other provisions of this section, in order to minimize damage to a vessel and to protect marina property, private property, and the environment, a marina owner may provide by contract that in the event a vessel owner fails to promptly remove a vessel from a marina after a tropical storm or hurricane watch has been issued, the marina owner, operator, employee, or agent may remove the vessel, if reasonable, from its slip or take whatever reasonable actions are deemed necessary to properly secure a vessel to minimize damage to a vessel and to protect marina property, private property, and the environment and may charge the vessel owner a reasonable fee for any such services rendered. In order to add such a provision to a contract, the marina owner must provide notice to the vessel owner in any such contract in a font size of at least 10 points and in substantially the following form:

NOTICE TO VESSEL OWNER

The undersigned hereby informs you that in the event you fail to remove your vessel from the marina promptly (timeframe to be determined between the marina owner or operator and the vessel owner) after the issuance of a tropical storm or hurricane watch for (insert geographic area), Florida, under Florida law, the undersigned or his or her employees or agents are authorized to remove your vessel, if reasonable, from its slip or take any and all other reasonable actions deemed appropriate by the undersigned or his or her employees or agents in order to better secure your vessel and to protect marina property, private property, and the environment. You are further notified that you may be charged a reasonable fee for any such action.

(4) A marina owner, operator, employee, or agent shall not be held liable for any damage incurred to a vessel from storms or hurricanes and is held harmless as a result of such actions. Nothing in this section may be construed to provide immunity to a marina operator, employee, or agent for any damage caused by intentional acts or negligence when removing or securing a vessel as permitted under this section.

Section 44. Subsection (2) of section 327.60, Florida Statutes, is amended to read:

327.60 Local regulations; limitations.—

(2) Nothing contained in the provisions of this section shall be construed to prohibit local governmental authorities from the enactment or enforcement of regulations which prohibit or restrict the mooring or anchoring of floating structures or live-aboard vessels within their jurisdictions *or of any vessels within the marked boundaries of mooring fields permitted as provided in s. 327.40*. However, local governmental authorities are prohibited from regulating the *anchoring outside of such mooring fields* ~~anchorage~~ of non-live-aboard vessels ~~engaged~~ in ~~the exercise of rights of~~ navigation.

Section 45. Section 328.64, Florida Statutes, is amended to read:

328.64 Change of interest and address.—

(1) The owner shall furnish the Department of Highway Safety and Motor Vehicles notice of the transfer of all or any part of his or her interest in a vessel registered or titled in this state pursuant to this chapter or chapter 328 or of the destruction or abandonment of such vessel, within 30 days thereof*, on a form prescribed by the department*. Such transfer, destruction, or abandonment shall terminate the certificate for such vessel, except that in the case of a transfer of a part interest which does not affect the owner's right to operate such vessel, such transfer shall not terminate the certificate. *The department shall provide the form for such notice and shall attach the form to every vessel title issued or reissued.*

(2) Any holder of a certificate of registration shall notify the Department of Highway Safety and Motor Vehicles or the county tax collector within 30 days, if his or her address no longer conforms to the address appearing on the certificate and shall, as a part of such notification, furnish the department or such county tax collector with the new address. The department *shall* ~~may~~ provide in its rules and regulations for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

Section 46. Subsection (15) of section 328.72, Florida Statutes, is amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

(15) DISTRIBUTION OF FEES.—Except for the first $2, $1 of which shall be remitted to the state for deposit into the Save the Manatee Trust Fund created within the Fish and Wildlife Conservation Commission and $1 of which shall be remitted to the state for deposit into the Marine Resources Conservation Trust Fund to fund a grant program for public launching facilities, pursuant to s. *206.606* ~~327.47~~, giving priority consideration to counties with more than 35,000 registered vessels, moneys designated for the use of the counties, as specified in subsection (1), shall be distributed by the tax collector to the board of county commissioners for use *only* as provided in this section. Such moneys to be returned to the counties are for the sole purposes of providing recreational channel marking and *other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, and other* public launching facilities*, derelict vessel removal,* and ~~other boating-related activities, for~~ removal of vessels and floating structures deemed a hazard to public safety and health for failure to comply with s. 327.53~~, and for manatee and marine mammal protection and recovery~~. Counties *shall* ~~that~~ demonstrate through an annual detailed accounting report of vessel registration revenues that ~~at least $1 of~~ the registration fees were spent *as provided in this subsection* ~~on boating infrastructure shall only be required to transfer the first $1 of the fees to the Save the Manatee Trust Fund~~. This report shall be provided to the Fish and Wildlife Conservation Commission no later than November 1 of each year. *If, prior to January 1 of each calendar year, the annual detailed accounting report meeting the prescribed criteria has still not been provided to the commission, the tax collector of that county shall not distribute the moneys designated for the use of counties, as specified in subsection (1), to the board of county commissioners but shall, instead, for the next calendar year, remit such moneys to the state for deposit into the Marine Resources Conservation Trust Fund. The commission shall return those moneys to the county if the county fully complies with this section within that calendar year. If the county does not fully comply with this section within that calendar year, the moneys shall remain within the Marine Resources Trust Fund and may be appropriated for the purposes specified in this subsection* ~~The commission shall provide an exemption letter to the department by December 15 of each year for qualifying counties~~.

Section 47. Paragraph (g) of subsection (4) of section 376.11, Florida Statutes, is amended to read:

376.11 Florida Coastal Protection Trust Fund.—

(4) Moneys in the Florida Coastal Protection Trust Fund shall be disbursed for the following purposes and no others:

(g) The funding of a grant program to ~~coastal~~ local governments, pursuant to s. 376.15(2)(b) and (c), for the removal of derelict vessels from the public waters of the state.

Section 48. Section 376.15, Florida Statutes, is amended to read:

376.15 Derelict vessels; removal from public waters.—

(1) It is unlawful for any person, firm, or corporation to store*, leave, or abandon any derelict vessel as defined in s. 823.11(1) in this state* ~~or leave any vessel in a wrecked, junked, or substantially dismantled condition or abandoned upon any public waters or at any port in this state without the consent of the agency having jurisdiction thereof or docked at any private property without the consent of the owner of the private property~~.

(2)(a) The Fish and Wildlife Conservation Commission *and its officers and all law enforcement officers as specified in s. 327.70 are* ~~is hereby designated as the agency of the state~~ authorized and empowered to remove any derelict vessel as *defined in s. 823.11(1)* ~~described in subsection (1)~~ from public waters. *All costs incurred by the commission or other law enforcement agency in the removal of any abandoned or derelict vessel shall be recoverable against the owner of the vessel. The Department of Legal Affairs shall represent the commission in such actions.*

(b) The commission may establish a program to provide grants to ~~coastal~~ local governments for the removal of derelict vessels from the public waters of the state. The program shall be funded from the Florida Coastal Protection Trust Fund. Notwithstanding the provisions in s. 216.181(11), funds available for grants may only be authorized by appropriations acts of the Legislature.

(c) The commission shall adopt by rule procedures for submitting a grant application and criteria for allocating available funds. Such criteria shall include, but not be limited to, the following:

1. The number of derelict vessels within the jurisdiction of the applicant.

2. The threat posed by such vessels to public health or safety, the environment, navigation, or the aesthetic condition of the general vicinity.

3. The degree of commitment of the local government to maintain waters free of abandoned and derelict vessels and to seek legal action against those who abandon vessels in the waters of the state.

(d) This section shall constitute the authority ~~of the commission~~ for such removal, but is not intended to be in contravention of any applicable federal act.

~~(e) The Department of Legal Affairs shall represent the Fish and Wildlife Conservation Commission in such actions.~~

Section 49. Paragraph (s) of subsection (2) of section 403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers; exceptions.—

(2) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, nothing in this subsection relieves an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or any water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(s) The construction, installation, operation, or maintenance of floating vessel platforms or floating boat lifts, provided that such structures:

1. Float at all times in the water for the sole purpose of supporting a vessel so that the vessel is out of the water when not in use;

2. Are wholly contained within a boat slip previously permitted under ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of chapter 373, or *do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water*, when associated with a dock that is exempt under this subsection or *associated with* a permitted dock with no defined boat slip *or attached to a bulkhead on a parcel of land where there is no other docking structure*~~, do not exceed a combined total of 500 square feet, or 200 square feet in an Outstanding Florida Water~~;

3. Are not used for any commercial purpose or for mooring vessels that remain in the water when not in use, and do not substantially impede the flow of water, create a navigational hazard, or unreasonably infringe upon the riparian rights of adjacent property owners, as defined in s. 253.141;

4. Are constructed and used so as to minimize adverse impacts to submerged lands, wetlands, shellfish areas, aquatic plant and animal species, and other biological communities, including locating such structures in areas where ~~no~~ seagrasses *are least dense* ~~exist if such areas are present~~ adjacent to the dock *or bulkhead*; and

5. Are not constructed in areas specifically prohibited for boat mooring under conditions of a permit issued in accordance with ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, or part IV of chapter 373, or other form of authorization issued by a local government.

Structures that qualify for this exemption are relieved from any requirement to obtain permission to use or occupy lands owned by the Board of

Trustees of the Internal Improvement Trust Fund and*, with the exception of those structures attached to a bulkhead on a parcel of land where there is no docking structure,* shall not be subject to any more stringent *permitting requirements, registration requirements, or other* regulation by any local government. *Local governments may require either permitting or one-time registration of floating vessel platforms to be attached to a bulkhead on a parcel of land where there is no other docking structure as necessary to ensure compliance with local ordinances, codes, or regulations. Local governments may require either permitting or one-time registration of all other floating vessel platforms as necessary to ensure compliance with the exemption criteria in this section; to ensure compliance with local ordinances, codes, or regulations relating to building or zoning, which are no more stringent than the exemption criteria in this section or address subjects other than subjects addressed by the exemption criteria in this section; and to ensure proper installation, maintenance, and precautionary or evacuation action following a tropical storm or hurricane watch of a floating vessel platform or floating boat lift that is proposed to be attached to a bulkhead or parcel of land where there is no other docking structure.* The exemption provided in this paragraph shall be in addition to the exemption provided in paragraph (b). ~~By January 1, 2003,~~ The department shall adopt a general permit by rule for the construction, installation, operation, or maintenance of those floating vessel platforms or floating boat lifts that do not qualify for the exemption provided in this paragraph but do not cause significant adverse impacts to occur individually or cumulatively. The issuance of such general permit shall also constitute permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund. ~~Upon the adoption of the rule creating such general permit,~~ No local government shall impose a more stringent regulation*, permitting requirement, registration requirement, or other regulation covered by such general permit. Local governments may require either permitting or one-time registration of floating vessel platforms as necessary to ensure compliance with the general permit in this section; to ensure compliance with local ordinances, codes, or regulations relating to building or zoning that are no more stringent than the general permit in this section; and to ensure proper installation and maintenance of a floating vessel platform or floating boat lift that is proposed to be attached to a bulkhead or parcel of land where there is no other docking structure* ~~on floating vessel platforms or floating boat lifts covered by such general permit~~.

Section 50. Subsection (3) of section 705.101, Florida Statutes, is amended to read:

705.101 Definitions.—As used in this chapter:

(3) "Abandoned property" means all tangible personal property that does not have an identifiable owner and that has been disposed on public property in a wrecked, inoperative, or partially dismantled condition or has no apparent intrinsic value to the rightful owner. *The term includes derelict vessels as defined in s. 823.11(1)* ~~Vessels determined to be derelict by the Fish and Wildlife Conservation Commission or a county or municipality in accordance with the provisions of s. 823.11 are included within this definition~~.

Section 51. Subsection (4) of section 705.103, Florida Statutes, is amended to read:

705.103 Procedure for abandoned or lost property.—

(4) The owner of any abandoned or lost property who, after notice as provided in this section, does not remove such property within the specified period shall be liable to the law enforcement agency for all costs of removal, storage, and destruction of such property, less any salvage value obtained by disposal of the property. Upon final disposition of the property, the law enforcement officer shall notify the owner, if known, of the amount owed. In the case of an abandoned *vessel* ~~boat~~ or motor vehicle, any person who neglects or refuses to pay such amount is not entitled to be issued a certificate of registration for such *vessel* ~~boat~~ or motor vehicle, or any other *vessel* ~~boat~~ or motor vehicle, until such costs have been paid. The law enforcement officer shall supply the Department of Highway Safety and Motor Vehicles with a list of persons whose *vessel* ~~boat~~ registration privileges or whose motor vehicle privileges have been revoked under this subsection. Neither the department nor any other person acting as agent thereof shall issue a certificate of registration to a person whose *vessel* ~~boat~~ or motor vehicle registration privileges have been revoked, as provided by this subsection, until such costs have been paid.

Section 52. Section 823.11, Florida Statutes, is amended to read:

823.11 Abandoned and derelict vessels; removal; penalty.—

(1) *"Derelict vessel" means any vessel, as defined in s. 327.02, that is left, stored, or abandoned:*

(a) In a wrecked, junked, or substantially dismantled condition upon any public waters of this state.

(b) At any port in this state without the consent of the agency having jurisdiction thereof.

(c) Docked or grounded at or beached upon the property of another without the consent of the owner of the property.

(2) It is unlawful for any person, firm, or corporation to store*, leave, or abandon any derelict vessel as defined in this section in this state* ~~or leave any vessel as defined by maritime law in a wrecked, junked, or substantially dismantled condition or abandoned upon or in any public water or at any port in this state without the consent of the agency having jurisdiction thereof, or docked at any private property without the consent of the owner of such property~~ .

(3)(a)~~(2)~~ The Fish and Wildlife Conservation Commission *and its officers and all law enforcement officers as specified in s. 327.70 are* ~~is designated as the agency of the state~~ authorized and empowered to remove or cause to be removed any abandoned or derelict vessel from public waters in any instance when the same obstructs or threatens to obstruct navigation or in any way constitutes a danger to the environment. *Removal of vessels pursuant to this section may be funded by grants provided in ss. 206.606 and 376.15. The Fish and Wildlife Conservation Commission is directed to implement a plan for the procurement of any available federal disaster funds and to use such funds for the removal of derelict vessels.* All costs incurred by the commission *or other law enforcement agency* in the removal of any abandoned or derelict vessel as set out above shall be recoverable against the owner thereof. *The Department of Legal Affairs shall represent the commission in such actions. As provided in s. 705.103(4), any person who neglects or refuses to pay such amount is not entitled to be issued a certificate of registration for such vessel or for any other vessel or motor vehicle until the costs have been paid.*

(b) When a derelict vessel is docked or grounded at or beached upon private property without the consent of the owner of the property, the owner of the property may remove the vessel at the vessel owner's expense 60 days after compliance with the notice requirements specified in s. 328.17(5). The private property owner may not hinder reasonable efforts by the vessel owner or agent to remove the vessel. Any notice given pursuant to this paragraph shall be presumed delivered when it is deposited with the United States Postal Service, certified, and properly addressed with prepaid postage. ~~Pursuant to an agreement with the governing body of a county or municipality, and upon a finding by the commission that the county or municipality is competent to undertake said responsibilities, the commission may delegate to the county or municipality its authority to remove or cause to be removed an abandoned or derelict vessel from public waters within the county or municipality.~~

(4)~~(3)~~ Any person, firm, or corporation violating this act *commits* ~~is guilty of~~ a misdemeanor of the first degree and shall be punished as provided by law. *Conviction under this section shall not bar the assessment and collection of the civil penalty provided in s. 376.16 for violation of s. 376.15. The court having jurisdiction over the criminal offense, notwithstanding any jurisdictional limitations on the amount in controversy, may order the imposition of such civil penalty in addition to any sentence imposed for the first criminal offense.*

Section 53. *For upland properties bordering on navigable waters, notwithstanding any other provision of Florida Statutes, rules, or local ordinances, riparian rights shall include the right to moor a vessel of a length that is less than the width of the property, provided the dock runs adjacent and parallel to a seawall, does not interfere with navigation as defined by International Navigational Rules Act of 1977 (Public Law 95-75, 91 Stat. 308, or 33 U.S.C. 1601-1608), or the Inland Navigation Rules Act of 1980 (Public Law 96-591, 94 Stat. 3415, 33 U.S.C. 2001-2038), the vessel is registered in the name of the owner of the upland property, the owner of the upland property has designated the property homestead pursuant to s. 222.01, Florida Statutes, and provided no*

dredging or alteration of the submerged land is needed to accommodate the vessel.

Section 54. Section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(1) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a person or animal.

(2) "Analog" or "chemical analog" means a structural derivative of a parent compound that is a controlled substance.

(3) "Cannabis" means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.

(4) "Clandestine laboratory" means any location and proximate areas set aside or used that are likely to be contaminated as a result of manufacturing, processing, cooking, disposing, or storing, either temporarily or permanently, any substances in violation of this chapter, except as such activities are authorized in chapter 499.

(5) "Contaminated" or "contamination" means containing levels of chemicals at or above the levels defined by the department pursuant to s. 893.123(1) as a result of clandestine laboratory activity.

(6) "Contamination assessment specialist" or "contamination assessor" means a person responsible for assessing the extent of contamination and decontamination by determining the indoor air quality in a residential property based on the standards defined by the department. Upon the conclusion of decontamination, a residential property must successfully test less than or equal to the values defined by the department. The person must have specialized training that provides him or her with the knowledge, skills, and abilities to use quantitative measurement techniques in collecting and assessing specified contamination levels that have the ability to impair human health and well-being.

(7)~~(4)~~ "Controlled substance" means any substance named or described in Schedules I-V of s. 893.03. Laws controlling the manufacture, distribution, preparation, dispensing, or administration of such substances are drug abuse laws.

(8) "Decontamination" means the process of reducing the levels of contaminants to the levels defined by the department pursuant to s. 893.123(1) that allow human reoccupancy using currently available methods and processes.

(9) "Decontamination specialist" means a person responsible for the cleanup, treatment, repair, removal, and decontamination of contaminated materials located in a residential property where clandestine laboratory activities occurred. The person must have the knowledge, skills, and ability to prescribe methods to eliminate, control, or reduce contamination; and must have been trained in the removal, storage, transport, and disposal of hazardous chemicals or chemical residues commonly associated with clandestine laboratory activities.

(10)~~(5)~~ "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(11)~~(9)~~ "Department" means the Department of Health.

(12)~~(6)~~ "Dispense" means the transfer of possession of one or more doses of a medicinal drug by a pharmacist or other licensed practitioner to the ultimate consumer thereof or to one who represents that it is his or her intention not to consume or use the same but to transfer the same to the ultimate consumer or user for consumption by the ultimate consumer or user.

(13)~~(7)~~ "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(14)~~(8)~~ "Distributor" means a person who distributes.

(15)~~(10)~~ "Hospital" means an institution for the care and treatment of the sick and injured, licensed pursuant to the provisions of chapter 395 or owned or operated by the state or Federal Government.

(16)~~(11)~~ "Laboratory" means a laboratory approved by the Drug Enforcement Administration as proper to be entrusted with the custody of controlled substances for scientific, medical, or instructional purposes or to aid law enforcement officers and prosecuting attorneys in the enforcement of this chapter.

(17)~~(12)~~ "Listed chemical" means any precursor chemical or essential chemical named or described in s. 893.033.

(18)~~(13)~~(a) "Manufacture" means the production, preparation, propagation, compounding, cultivating, growing, conversion, or processing of a controlled substance, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation, compounding, packaging, or labeling of a controlled substance by:

1. A practitioner or pharmacist as an incident to his or her administering or delivering of a controlled substance in the course of his or her professional practice.

2. A practitioner, or by his or her authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis, and not for sale.

(b) "Manufacturer" means and includes every person who prepares, derives, produces, compounds, or repackages any drug as defined by the Florida Drug and Cosmetic Act. However, this definition does not apply to manufacturers of patent or proprietary preparations as defined in the Florida Pharmacy Act. Pharmacies, and pharmacists employed thereby, are specifically excluded from this definition.

(19)~~(14)~~ "Mixture" means any physical combination of two or more substances.

(20)~~(15)~~ "Patient" means an individual to whom a controlled substance is lawfully dispensed or administered pursuant to the provisions of this chapter.

(21)~~(16)~~ "Pharmacist" means a person who is licensed pursuant to chapter 465 to practice the profession of pharmacy in this state.

(22)~~(17)~~ "Possession" includes temporary possession for the purpose of verification or testing, irrespective of dominion or control.

(23)~~(18)~~ "Potential for abuse" means that a substance has properties of a central nervous system stimulant or depressant or an hallucinogen that create a substantial likelihood of its being:

(a) Used in amounts that create a hazard to the user's health or the safety of the community;

(b) Diverted from legal channels and distributed through illegal channels; or

(c) Taken on the user's own initiative rather than on the basis of professional medical advice.

Proof of potential for abuse can be based upon a showing that these activities are already taking place, or upon a showing that the nature and properties of the substance make it reasonable to assume that there is a substantial likelihood that such activities will take place, in other than isolated or occasional instances.

(24)~~(19)~~ "Practitioner" means a physician licensed pursuant to chapter 458, a dentist licensed pursuant to chapter 466, a veterinarian licensed pursuant to chapter 474, an osteopathic physician licensed pursuant to chapter 459, a naturopath licensed pursuant to chapter 462, or a podiatric physician licensed pursuant to chapter 461, provided such practitioner holds a valid federal controlled substance registry number.

(25)~~(20)~~ "Prescription" means and includes an order for drugs or medicinal supplies written, signed, or transmitted by word of mouth, telephone, telegram, or other means of communication by a duly licensed practitioner licensed by the laws of the state to prescribe such drugs or

medicinal supplies, issued in good faith and in the course of professional practice, intended to be filled, compounded, or dispensed by another person licensed by the laws of the state to do so, and meeting the requirements of s. 893.04. The term also includes an order for drugs or medicinal supplies so transmitted or written by a physician, dentist, veterinarian, or other practitioner licensed to practice in a state other than Florida, but only if the pharmacist called upon to fill such an order determines, in the exercise of his or her professional judgment, that the order was issued pursuant to a valid patient-physician relationship, that it is authentic, and that the drugs or medicinal supplies so ordered are considered necessary for the continuation of treatment of a chronic or recurrent illness. However, if the physician writing the prescription is not known to the pharmacist, the pharmacist shall obtain proof to a reasonable certainty of the validity of said prescription. A prescription order for a controlled substance shall not be issued on the same prescription blank with another prescription order for a controlled substance which is named or described in a different schedule, nor shall any prescription order for a controlled substance be issued on the same prescription blank as a prescription order for a medicinal drug, as defined in s. 465.031(5), which does not fall within the definition of a controlled substance as defined in this act.

(26) "Residential property" means a dwelling unit used, or intended for use, by an individual or individuals as a permanent residence. The term includes improved real property of between one and four dwellings; a condominium unit, as defined in s. 718.103(27); a cooperative unit, as defined in s. 719.103(24); or a mobile home or manufactured home, as defined in s. 320.01(2). The term does not include a hotel, motel, campground, marina, or timeshare unit.

(27)~~(21)~~ "Wholesaler" means any person who acts as a jobber, wholesale merchant, or broker, or an agent thereof, who sells or distributes for resale any drug as defined by the Florida Drug and Cosmetic Act. However, this definition does not apply to persons who sell only patent or proprietary preparations as defined in the Florida Pharmacy Act. Pharmacies, and pharmacists employed thereby, are specifically excluded from this definition.

Section 55. Section 893.121, Florida Statutes, is created to read:

893.121 Quarantine of a clandestine laboratory.—

(1) The purpose of the quarantine provided for in this section is to prevent exposure of any person to the hazards associated with clandestine laboratory activities and provide protection from unsafe conditions that pose a threat to the public health, safety, and welfare. The department has the authority to quarantine residential property under s. 381.0011.

(2) Whenever a sheriff, police officer, or other law enforcement entity secures evidence from a residential property in which illegal clandestine laboratory activities occurred, the department must quarantine the property. The local law enforcement entity securing evidence shall enforce a quarantine on the residential property as part of its duty to assist the department under s. 381.0012(5). Enforcement does not require the 24-hour posting of law enforcement personnel. The residential property shall remain quarantined until the department receives a certificate of fitness documenting that the property was decontaminated as defined by the department pursuant to s. 893.123 or demolished in accordance with s. 893.122(1), or a court order is presented requiring the quarantine to be lifted.

(3) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 to establish a uniform notice to post at the site of a quarantined clandestine laboratory and a uniform letter of notification of the quarantine to be sent to the residential property owner or manager. It is the responsibility of local law enforcement to post the notice of a quarantine on the residential property, and it is the responsibility of the department to mail the letter of notification. The material in the letter and notice shall include, but not be limited to:

(a) That the residential property has been quarantined and a clandestine laboratory was seized on or inside the residential property.

(b) The date of the quarantine.

(c) The name and contact telephone number of the law enforcement entity posting the quarantine.

(d) A statement specifying that hazardous substances, toxic chemicals, or other hazardous waste products may have been present and may remain on or inside the residential property and that exposure to the substances may be harmful and may pose a threat to public health and the environment.

(e) A statement that it is unlawful for an unauthorized person to enter the contaminated residential property and that the removal of any notice of the quarantine is a second degree misdemeanor under s. 381.0025(1).

(f) A statement, in the notification letter, explaining how to have the quarantine lifted.

(4) Upon securing evidence from a residential property in which illegal clandestine laboratory activities occurred, the local law enforcement entity shall immediately notify the local health officer and the department's Division of Environmental Health that a residential property is quarantined and shall provide the name and contact information of the law enforcement entity, the name of the residential property owner or residential property manager, and the address of the property.

(5) To the extent possible, the department shall mail the letter of notification to the residential property owner or the manager of the residential property within 5 working days from the date of quarantine notifying the owner or manager that a clandestine laboratory was found on the property and that the property has been quarantined. The department shall also include a list of contamination assessment specialists and decontamination specialists and any other information deemed appropriate by the department to the residential property owner or manager.

(6) Any person who has an interest in a residential property that is quarantined pursuant to this section may file a petition in the circuit court in which the residential property is located to request a court order that the quarantine of the residential property be lifted for one of the following reasons:

(a) The residential property was wrongfully quarantined; or

(b) The residential property has been properly decontaminated as defined by the department pursuant to s. 893.123 or demolished pursuant to s. 893.122(1) and may be reoccupied for habitation, but the department refuses or fails to lift the quarantine.

(7) No person shall inhabit a quarantined residential property, offer the residential property to the public for temporary or indefinite habitation, or remove any notice of the quarantine. Any person who willfully violates a provision of this subsection commits a second degree misdemeanor under s. 381.0025(1).

Section 56. Section 893.122, Florida Statutes, is created to read:

893.122 Option of demolition; immunity from liability from health-based civil actions.—

(1) A residential property owner shall, upon notification from the department that clandestine laboratory activities have occurred in a property owned by that owner and that the property is quarantined, meet the decontamination standards as defined by the department pursuant to s. 893.123 unless the property owner, at the owner's discretion, elects to demolish the contaminated residential property. The demolition and removal of materials must meet the requirements of the Occupational Safety and Health Administration and the United States Environmental Protection Agency regulations pertaining to the generation, storage, transport, and disposal of hazardous wastes and any state or local requirements.

(2) A residential property owner who has met the decontamination standards, as evidenced by a certificate of fitness and a letter of reoccupancy pursuant to s.893.123, or has demolished the residential property in compliance with subsection (1), shall have immunity from health-based civil actions brought by any future owner, renter, or other person who occupies such residential property, or a neighbor of such residential property, in which the alleged cause of the injury or loss is the existence of the clandestine laboratory. However, a person with a conviction, as defined in s. 944.607, for the manufacture of any substance regulated under this chapter on the residential property where clandestine laboratory activities occurred shall not have the immunity provided in this subsection.

Section 57. Section 893.123, Florida Statutes, is created to read:

893.123 Clandestine laboratory decontamination standards, certificate of fitness, and letter of reoccupancy.—

(1) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 that establish:

(a) Standards for indoor air quality regarding levels of contaminants produced by clandestine laboratory activities to include methamphetamine, lead, mercury, and volatile organic compounds. These standards must be consistent with values commonly used by other states or comply with national standards.

(b) Standards for the cleanup and testing of clandestine laboratories.

(c) A certificate of fitness that shall act as appropriate documentation that a residential property has been decontaminated in accordance with specified standards. The certificate of fitness shall be submitted to the department by a contamination assessment specialist. The certificate of fitness shall include, but is not limited to:

1. The name of the residential property owner, the mailing and street address of the residential property owner, and, if applicable, the parcel identification of the residential property.

2. The dates the residential property was quarantined and cleanup was completed.

3. A summary of the indoor air quality test results, findings, and conclusions as determined by a contamination assessment specialist.

4. The name and address of the contamination assessment specialist.

5. The name and address of the decontamination specialist.

6. The method of repair, replacement, or decontamination of the residential property.

(d) A letter of reoccupancy that will notify the residential property owner that the property may be reoccupied for habitation.

(2) Upon receipt of the certificate of fitness, the department shall send a letter of reoccupancy to the residential property owner or manager and to the local law enforcement entity that enforced the quarantine and posted the notice. The letter of reoccupancy must include the address of the residential property, a statement that the quarantine is lifted, and a statement that the residential property may be reoccupied for habitation.

(3) In the case of demolition, the department shall lift the quarantine on a residential property upon receipt of a letter presented by a demolition company stating that the quarantined property was demolished. The letter must include the address of the residential property and a statement that the demolition was performed in accordance to the requirements in s. 893.122(1).

Section 58. Section 893.124, Florida Statutes, is created to read:

893.124 Decontamination and contamination assessment specialists.—

(1)(a) The department shall compile and maintain lists of decontamination and contamination assessment specialists. The lists shall be posted on the department's Internet website. The department shall indicate on the website whether the specialists are bonded and insured.

(b) Persons authorized to perform decontamination or contamination assessments must have knowledge and skill in the handling of toxic substances. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 specifying the requirements for persons authorized to perform decontamination and contamination assessments. Decontamination specialists shall be responsible for ensuring that all hazardous substances, toxic chemicals, or other hazardous waste products that may have been present are removed from the residential property and disposed of in accordance with federal, state, and local laws and regulations.

(2) In determining the level of contamination in a clandestine laboratory, the decontamination or contamination assessment specialist may request copies of any available law enforcement reports or information relating to the following:

(a) The length of time the residential property was used as a clandestine laboratory.

(b) The extent to which the residential property was exposed to chemicals used in clandestine laboratory activities.

(c) The chemical processes that were involved in the clandestine laboratory activities.

(d) The chemicals that were removed from the residential property.

(e) The location of the clandestine laboratory activities in relation to the habitable areas of the residential property.

(3) If the contamination assessment specialist determines that the residential property is not contaminated, the contamination assessment specialist shall prepare a certificate of fitness and submit the certificate to the department.

Section 59. Paragraph (s) of subsection (1) of section 465.016, Florida Statutes, is amended to read:

465.016 Disciplinary actions.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(s) Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined by s. 465.003(14) or s. 893.02~~(20)~~ when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship.

Section 60. Paragraph (e) of subsection (1) of section 465.023, Florida Statutes, is amended to read:

465.023 Pharmacy permittee; disciplinary action.—

(1) The department or the board may revoke or suspend the permit of any pharmacy permittee, and may fine, place on probation, or otherwise discipline any pharmacy permittee who has:

(e) Dispensed any medicinal drug based upon a communication that purports to be a prescription as defined by s. 465.003(14) or s. 893.02~~(20)~~ when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship that includes a documented patient evaluation, including history and a physical examination adequate to establish the diagnosis for which any drug is prescribed and any other requirement established by board rule under chapter 458, chapter 459, chapter 461, chapter 463, chapter 464, or chapter 466.

Section 61. Paragraph (c) of subsection (1) of section 856.015, Florida Statutes, is amended to read:

856.015 Open house parties.—

(1) Definitions.—As used in this section:

(c) "Drug" means a controlled substance, as that term is defined in ss. 893.02~~(4)~~ and 893.03.

Section 62. Subsection (6) of section 893.135, Florida Statutes, is amended to read:

893.135 Trafficking; mandatory sentences; suspension or reduction of sentences; conspiracy to engage in trafficking.—

(6) A mixture, as defined in s. 893.02~~(14)~~, containing any controlled substance described in this section includes, but is not limited to, a solution or a dosage unit, including but not limited to, a pill or tablet, containing a controlled substance. For the purpose of clarifying legislative intent regarding the weighing of a mixture containing a controlled substance described in this section, the weight of the controlled substance is the total weight of the mixture, including the controlled substance and any other substance in the mixture. If there is more than one mixture containing the same controlled substance, the weight of the controlled substance is calculated by aggregating the total weight of each mixture.

Section 63. Paragraph (a) of subsection (1) of section 944.47, Florida Statutes, is amended to read:

944.47 Introduction, removal, or possession of certain articles unlawful; penalty.—

(1)(a) Except through regular channels as authorized by the officer in charge of the correctional institution, it is unlawful to introduce into or upon the grounds of any state correctional institution, or to take or attempt to take or send or attempt to send therefrom, any of the following articles which are hereby declared to be contraband for the purposes of this section, to wit:

1. Any written or recorded communication or any currency or coin given or transmitted, or intended to be given or transmitted, to any inmate of any state correctional institution.

2. Any article of food or clothing given or transmitted, or intended to be given or transmitted, to any inmate of any state correctional institution.

3. Any intoxicating beverage or beverage which causes or may cause an intoxicating effect.

4. Any controlled substance as defined in s. 893.02~~(4)~~ or any prescription or nonprescription drug having a hypnotic, stimulating, or depressing effect.

5. Any firearm or weapon of any kind or any explosive substance.

Section 64. Subsection (1) of section 951.22, Florida Statutes, is amended to read:

951.22 County detention facilities; contraband articles.—

(1) It is unlawful, except through regular channels as duly authorized by the sheriff or officer in charge, to introduce into or possess upon the grounds of any county detention facility as defined in s. 951.23 or to give to or receive from any inmate of any such facility wherever said inmate is located at the time or to take or to attempt to take or send therefrom any of the following articles which are hereby declared to be contraband for the purposes of this act, to wit: Any written or recorded communication; any currency or coin; any article of food or clothing; any tobacco products as defined in s. 210.25(11); any cigarette as defined in s. 210.01(1); any cigar; any intoxicating beverage or beverage which causes or may cause an intoxicating effect; any narcotic, hypnotic, or excitative drug or drug of any kind or nature, including nasal inhalators, sleeping pills, barbiturates, and controlled substances as defined in s. 893.02~~(4)~~; any firearm or any instrumentality customarily used or which is intended to be used as a dangerous weapon; and any instrumentality of any nature that may be or is intended to be used as an aid in effecting or attempting to effect an escape from a county facility.

Section 65. Paragraph (a) of subsection (1) of section 985.4046, Florida Statutes, is amended to read:

985.4046 Introduction, removal, or possession of certain articles unlawful; penalty.—

(1)(a) Except as authorized through program policy or operating procedure or as authorized by the facility superintendent, program director, or manager, a person may not introduce into or upon the grounds of a juvenile detention facility or commitment program, or take or send, or attempt to take or send, from a juvenile detention facility or commitment program, any of the following articles, which are declared to be contraband under this section:

1. Any unauthorized article of food or clothing.

2. Any intoxicating beverage or any beverage that causes or may cause an intoxicating effect.

3. Any controlled substance, as defined in s. 893.02~~(4)~~, or any prescription or nonprescription drug that has a hypnotic, stimulating, or depressing effect.

4. Any firearm or weapon of any kind or any explosive substance.

Section 66. *Sections 403.7075, 403.756, 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and 403.7895, Florida Statutes, are repealed.*

Section 67. *(1)(a) The Department of Environmental Protection shall conduct a study to determine the various sources of nitrogen input into the Wekiva River and associated springs contributing water to the river. The Department of Environmental Protection shall prepare a report recommending actions to be taken by the Department of Environmental Protection and the St. Johns Water Management District that will provide the best use of economic resources to reduce nitrogen input into the river and associated springs. The Department of Environmental Protection shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 1, 2007.*

(b) The Department of Health shall contract with an independent entity for a study to determine the sources of nitrogen input from onsite sewage treatment and disposal systems into the Wekiva River and associated springs. The study shall measure the concentration of nitrates in the soil 10 feet and 20 feet below the drainfield of the onsite sewage treatment and disposal systems. The contract shall require the entity to submit a report to the Department of Health describing the locations of such sources and the nitrate amounts contributed by such sources and containing recommendations to reduce or eliminate nitrogen input from such sources. Rulemaking required by s. 369.318(2), Florida Statutes, shall be suspended until the completion of this study. The Department of Health shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 1, 2007.

(2) The Department of Health shall develop rules for a model proposal for the operation and maintenance of onsite sewage treatment and disposal systems within the Wekiva Study Area or the Wekiva River Protection Area. At a minimum, the rules shall require each property owner in the Wekiva Study Area or the Wekiva River Protection Area that has an onsite sewage treatment and disposal system to pump out the system at least once every 5 years.

(3) The sum of $250,000 is appropriated from the General Revenue Fund to the Department of Environmental Protection for the 2006-2007 fiscal year to be used by the department to conduct the study required under paragraph (1)(a).

(4) The sum of $250,000 is appropriated from the General Revenue Fund to the Department of Health for the 2006-2007 fiscal year to be used by the department to contract for the independent study required under paragraph (1)(b).

Section 68. *The Department of Environmental Protection shall require and collect a report from each water management district in the state on how much water is being extracted each month for resale in bottled water containers and submit a report of the findings to the Legislature by November 1, 2006.*

Section 69. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to environmental protection; amending ss. 199.1055, 220.1845, 376.30781, 376.80, and 376.86, F.S.; increasing the amount and percentage of the credit that may be applied against the intangible personal property tax and the corporate income tax for the cost of voluntary cleanup of a contaminated site; increasing the amount that may be received by the taxpayer as an incentive to complete the cleanup in the final year; increasing the total amount of credits that may be granted in any year; providing tax credits for voluntary cleanup activities related to solid waste disposal facilities; providing criteria for eligible sites and activities; increasing the amount of the Brownfield Areas Loan Guarantee; reducing the job creation requirements; directing the Department of Environmental Protection to apply certain criteria, requirements, and limitations for implementation of such provisions; providing certain exceptions; amending s. 288.9015, F.S.; requiring Enterprise Florida, Inc., to aggressively market brownfields; amending ss. 196.012 and 196.1995, F.S., to include brownfield areas in the implementation of the economic development ad valorem tax exemption authorized under s. 3, Art VII of the Florida Constitution; repealing s. 376.87, F.S., relating to the Brownfield Property Ownership Clearance Assistance; repealing s. 376.875, F.S., relating to the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund; amending s. 14.2015, F.S.; deleting a reference to the trust fund to conform; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law;

amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; providing that certain counties are encouraged to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for a litter survey; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to Wildflower Foundation, Inc.; requiring the foundation to develop certain procedures and programs; specifying uses of the proceeds; transferring the balance of such proceeds to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending ss. 316.003, 377.709, and 487.048, F.S.; conforming cross-references; amending s. 403.704, F.S.; deleting certain obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting certain obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; providing that industrial byproducts are not regulated under certain circumstances; conforming a cross-reference; clarifying certain provisions governing dredged material; amending s. 403.707, F.S.; clarifying the Department of Environmental Preservation's permit authority; deleting certain obsolete provisions; creating s. 403.7071, F.S.; providing for the management and disposal of storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying certain provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees; amending s. 403.7095, F.S., relating to the solid waste management grant program; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law and clarifying certain financial-disclosure provisions with respect to the closure of a landfill; amending s. 403.716, F.S.; deleting certain provisions relating to the training of certain facility operators; amending s. 403.717, F.S.; clarifying the provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; amending s. 403.201, F.S.; conforming a cross-reference; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; amending s. 403.7226, F.S.; deleting a provision requiring a report that is duplicative of other reports; amending s. 403.724, F.S.; clarifying certain financial-responsibility provisions; amending s. 403.7255, F.S.; providing additional requirements regarding the public notification of certain contaminated sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; requiring a local government to provide matching funds for certain grants; providing that matching funds are not required under certain conditions; amending s. 403.885, F.S.; revising grant program eligibility requirements for certain water management and restoration projects; eliminating requirements for certain funding and legislative review of such projects; amending s. 373.1961, F.S.; conforming a cross-reference; repealing s. 403.7075, F.S., relating to the submission of certain plans for solid waste management facilities; repealing s. 403.756, F.S., relating to an annual used-oil report; directing the department to require and collect certain reports from each water management district, and to submit such findings to the Legislature by a certain date; amending s. 206.606, F.S.; authorizing the use of certain funds for local boating related projects and activities; amending s. 327.59, F.S.; authorizing marina owners, operators, employees, and agents to take actions to secure vessels during severe weather and to charge fees and be held harmless for such service; holding marina operators, employees, and agents liable for damage caused by intentional acts or negligence while removing or securing vessels; authorizing contract provisions and providing contract notice requirements relating to removing or securing vessels; amending s. 327.60, F.S.; providing for local regulation of anchoring within mooring fields; amending s. 328.64, F.S.; requiring the Department of Highway Safety and Motor Vehicles to provide forms for certain notification related to vessels; requiring the department to provide by rule for the surrender and replacement of certificates of registration to reflect change of address; amending s. 328.72, F.S.; requiring counties to use funds for specific boating related purposes; requiring counties to provide reports demonstrating specified expenditure of such funds; providing penalties for failure to comply; amending s. 376.11, F.S.; authorizing the distribution of revenues from the Florida Coastal Protection Trust Fund to all local governments for the removal of certain vessels; amending s. 376.15, F.S.; revising provisions relating to the removal of abandoned and derelict vessels; specifying officers authorized to remove such vessels; providing that certain costs are recoverable; requiring the Department of Legal Affairs to represent the Fish and Wildlife Conservation Commission in certain actions; expanding eligibility for disbursement of grant funds for the removal of certain vessels; amending s. 403.813, F.S.; providing exemptions from permitting, registration, and regulation of floating vessel platforms or floating boat lifts by a local government; authorizing local governments to require certain permits or registration for floating vessel platforms or floating boat lifts under certain circumstances; amending s. 705.101, F.S.; revising the definition of "abandoned property" to include certain vessels; amending s. 705.103, F.S.; revising the terminology relating to abandoned or lost property to conform; amending s. 823.11, F.S.; revising provisions relating to abandoned and derelict vessels and the removal of such vessels; providing a definition of "derelict vessel"; specifying which officers may remove such vessels; directing the Fish and Wildlife Conservation Commission to implement a plan for the procurement of federal disaster funds for the removal of derelict vessels; requiring the Department of Legal Affairs to represent the commission in certain actions; deleting a provision authorizing the commission to delegate certain authority to local governments under certain circumstances; authorizing private property owners to remove certain vessels with required notice; providing that cost of such removal is recoverable; prohibiting private property owners from hindering the removal of certain vessels by vessel owners or agents; providing for jurisdictional imposition of civil penalties for violations relating to certain vessels; providing an exception for the mooring of certain vessels to upland properties under certain circumstances; amending s. 893.02, F.S.; providing definitions; creating s. 893.121, F.S.; providing for quarantine of any residential property where illegal clandestine laboratory activities occurred; providing for establishment of a uniform notice and a uniform letter of notification; providing for posting of specified notice at the site of a quarantine; providing requirements for the sending of a specified letter of notification to a residential property owner or manager; providing for petitions by certain persons in circuit court to lift such quarantines under certain conditions; prohibiting specified violations relating to such quarantines; creating s. 893.122, F.S.; permitting demolition of quarantined residential property under certain conditions; providing immunity from health-based civil actions for residential property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; providing an exception to such immunity for persons convicted of manufacturing controlled substances at the site; creating s. 893.123, F.S.; providing for rulemaking to adopt clandestine laboratory decontamination standards; providing for certificates of fitness to indicate that decontamination has been completed; providing requirements for the lifting of a quarantine upon demolition of the property; creating s. 893.124, F.S.; requiring the Department of Health to specify requirements for persons authorized to perform decontamination and contamination assessments; requiring the department to compile and maintain lists of decontamination and contamination assessment specialists; providing responsibilities for decontamination specialists; permitting decontamination and contamination assessment specialists to request specified documents; providing for the issuance of certificates of fitness by contamination assessment specialists; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and 403.7895, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; requiring the Department of Environmental Protection to conduct a study of the sources of nitrogen input into the Wekiva River and associated springs; requiring the Department of Health to contract for an independent study of the sources of nitrogen input from onsite sewage treatment and disposal systems into the Wekiva River and associated springs; requiring reports on such studies; providing report requirements; suspending certain department rulemaking until study completion; requiring the Department of Environmental Protection and the Department of Health to submit copies of the reports to the Legislature by a certain date; requiring the Department of Health to develop rules for a model proposal for the operation and maintenance of onsite sewage treatment and disposal systems in certain areas; specifying a rule criterion; providing appropriations; providing an effective date.

On motion by Senator Dockery, the Senate refused to concur in the House amendment to **CS for SB 1528** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1, amended Senate Amendment 2 and concurred in the same as amended, and passed HB 7055 as further amended, and requests the concurrence of the Senate.

John B. Phelps, Clerk

HB 7055—A bill to be entitled An act relating to enterprise zones; amending s. 195.099, F.S.; reenacting a periodic review requirement; providing for future expiration; amending s. 220.03, F.S.; revising a definition; amending s. 212.08, F.S.; limiting the exemption by refund of certain taxes for rehabilitation of certain property in an enterprise zone; providing an exception; providing for retroactive application; amending s. 212.096, F.S.; revising definitions; revising an information requirement for claiming an enterprise zone jobs tax credit; amending s. 220.13, F.S.; reenacting a definitional provision; providing for future expiration of provisions relating to enterprise zone credits; amending s. 220.181, F.S.; revising certain criteria for granting an enterprise zone jobs tax credit; amending s. 290.0055, F.S.; providing a meeting notice requirement for a governing body adopting an enterprise zone boundary change resolution; creating s. 290.0072, F.S.; authorizing the City of Winter Haven to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing requirements for the area of the enterprise zone; requiring the office to establish the effective date of the enterprise zone; providing an effective date.

House Amendment 1 (849689) to Senate Amendment 2 (152000) (with title amendment)—On page 1, line 15, insert:

Section 8. *(1) Notwithstanding the provisions of s. 212.08(5)(g), Florida Statutes, as amended by this act, a business developing a project involving the rehabilitation of real property that has been excluded from an enterprise zone because of the redesignation requirements of s. 290.012 or s. 290.0065, Florida Statutes, shall remain eligible to apply for the building materials tax exemption under s. 212.08(5)(g), Florida Statutes, for that project through December 31, 2006, if the following requirements are met:*

(a) The project must have been located in an enterprise zone on or before December 31, 2005.

(b) The project must have a duration extending beyond December 31, 2005.

(c) The project must have been excluded from the enterprise zone due to the portion of the enterprise zone in which the project is located not meeting the pervasive poverty rate requirements of s. 290.0058(2)(a) or (b), Florida Statutes.

(d) The difference between the pervasive poverty rate requirements of s. 290.0058(2)(a), Florida Statutes, and the actual poverty rate in the area in which the project is located must be 5 percentage points or less.

(e) The business must apply for a certificate of eligibility for the project with the enterprise zone development agency by September 1, 2006, and demonstrate that the project meets the requirements of this section.

(f) The enterprise zone development agency must provide a copy of the certificate of eligibility to the Department of Revenue.

(2) The provisions of this section are remedial in nature and shall apply retroactively to December 31, 2005. This section is repealed January 1, 2007.

And the title is amended as follows:

On page 1, line 24, remove all of said line, and insert:

resolution; providing for time-limited continuing eligibility for a building materials tax exemption for certain businesses; specifying eligibility requirements; providing for retroactive application; providing for future repeal; providing an effective date.

On motion by Senator King, the Senate refused to concur in the House amendment to the Senate amendment to **HB 7055** and the House was requested to recede. The action of the Senate was certified to the House.

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 844

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 844, same being:

An act relating to state employees; requiring that the Justice Administrative Commission approve the classification plan and salary and benefits for employees of the Statewide Guardian Al Litem Office; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from its Amendment 1.

2. That the House and the Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/Sandra "Sandy" Adams
Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth

s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 39.8296, Florida Statutes, is amended to read:

39.8296 Statewide Guardian Ad Litem Office; legislative findings and intent; creation; appointment of executive director; duties of office.—

(2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a Statewide Guardian Ad Litem Office within the Justice Administrative Commission. The Justice Administrative Commission shall provide administrative support and service to the office to the extent requested by the executive director within the available resources of the commission. The Statewide Guardian Ad Litem Office shall not be subject to control, supervision, or direction by the Justice Administrative Commission in the performance of its duties*, but the employees of the office shall be governed by the classification plan and salary and benefits plan approved by the Justice Administrative Commission*.

(a) The head of the Statewide Guardian Ad Litem Office is the executive director, who shall be appointed by the Governor from a list of a minimum of three eligible applicants submitted by a Guardian Ad Litem Qualifications Committee. The Guardian Ad Litem Qualifications Committee shall be composed of five persons, two persons appointed by the Governor, two persons appointed by the Chief Justice of the Supreme Court, and one person appointed by the Statewide Guardian Ad Litem Association. The committee shall provide for statewide advertisement and the receiving of applications for the position of executive director. The Governor shall appoint an executive director from among the recommendations, or the Governor may reject the nominations and request the submission of new nominees. The executive director must have knowledge in dependency law and knowledge of social service delivery systems available to meet the needs of children who are abused, neglected, or abandoned. The executive director shall serve on a full-time basis and shall personally, or through representatives of the office, carry out the purposes and functions of the Statewide Guardian Ad Litem Office in accordance with state and federal law. The executive director shall report to the Governor. The executive director shall serve a 3-year term, subject to removal for cause by the Governor. Any person appointed to serve as the executive director may be permitted to serve more than one term.

(b) The Statewide Guardian Ad Litem Office shall, within available resources, have oversight responsibilities for and provide technical assistance to all guardian ad litem and attorney ad litem programs located within the judicial circuits.

1. The office shall identify the resources required to implement methods of collecting, reporting, and tracking reliable and consistent case data.

2. The office shall review the current guardian ad litem programs in Florida and other states.

3. The office, in consultation with local guardian ad litem offices, shall develop statewide performance measures and standards.

4. The office shall develop a guardian ad litem training program. The office shall establish a curriculum committee to develop the training program specified in this subparagraph. The curriculum committee shall include, but not be limited to, dependency judges, directors of circuit guardian ad litem programs, active certified guardians ad litem, a mental health professional who specializes in the treatment of children, a member of a child advocacy group, a representative of the Florida Coalition Against Domestic Violence, and a social worker experienced in working with victims and perpetrators of child abuse.

5. The office shall review the various methods of funding guardian ad litem programs, shall maximize the use of those funding sources to the extent possible, and shall review the kinds of services being provided by circuit guardian ad litem programs.

6. The office shall determine the feasibility or desirability of new concepts of organization, administration, financing, or service delivery designed to preserve the civil and constitutional rights and fulfill other needs of dependent children.

7. No later than October 1, 2004, the office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court an interim report describing the progress of the office in meeting the goals as described in this section. No later than October 1, 2004, the office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court a proposed plan including alternatives for meeting the state's guardian ad litem and attorney ad litem needs. This plan may include recommendations for less than the entire state, may include a phase-in system, and shall include estimates of the cost of each of the alternatives. Each year thereafter, the office shall provide a status report and provide further recommendations to address the need for guardian ad litem services and related issues.

Section 2. Subsection (4) of section 43.16, Florida Statutes, is amended to read:

43.16 Justice Administrative Commission; membership, powers and duties.—

(4)*(a)* The Justice Administrative Commission shall employ an executive director and fix his or her salary. The executive director shall employ any necessary personnel for the efficient performance of the commission according to a classification and pay plan annually approved by the commission.

(b) All employees of or within the commission are exempt from the Career Service System provided in chapter 110 and, notwithstanding s. 110.205(5), are not included in the Senior Management Service or the Selected Exempt Service. The commission shall annually approve a classification plan and salary and benefits plan.

(c) Employees in permanent positions must be offered benefits comparable to those offered under the Career Service System.

(d) The commission may offer benefits in excess of those offered under the Career Service System only to employees who are appointed to positions designated as having managerial or policymaking duties or positions requiring membership in The Florida Bar.

(e) By January 15th of each year, the commission shall submit to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives a listing of all positions receiving benefits greater than those benefits offered under the Career Service System. Any change in the positions that are offered greater benefits or any change in the level of benefits is subject to the notice and objection procedures of s. 216.177.

Section 3. Subsection (12) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

(12) HEALTH SAVINGS ACCOUNTS.—The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature and conforming to the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a)1. A member participating in this health insurance plan option shall be eligible to receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of

employment. For the *2006-2007* ~~2005-2006~~ fiscal year, the state's monthly contribution for employees having individual coverage shall be $41.66 and the monthly contribution for employees having family coverage shall be $83.33.

2. A member participating in this health insurance plan option shall be eligible to deposit the member's own funds into a health savings account.

(b) The monthly premiums paid by the employer for a member participating in this health insurance plan option shall include an amount equal to the monthly employer contribution authorized by the Legislature for that fiscal year.

(c) The health savings accounts shall be administered in accordance with the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Section 4. Subsection (7) of section 110.12315, Florida Statutes, is amended to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(7) Under the state employees' prescription drug program copayments must be made as follows:

~~(a) Effective January 1, 2004, through December 31, 2005:~~

~~1. For generic drug with card . . . . . $10.~~

~~2. For preferred brand name drug with card . . . . . $25.~~

~~3. For nonpreferred brand name drug with card . . . . . $40.~~

~~4. For generic mail order drug . . . . . $20.~~

~~5. For preferred brand name mail order drug . . . . . $50.~~

~~6. For nonpreferred brand name mail order drug . . . . . $80.~~

(a)~~(b)~~ Effective January 1, 2006, ~~through December 31, 2006,~~ for the State Group Health Insurance Standard Plan:

1. For generic drug with card . . . . . $10.

2. For preferred brand name drug with card . . . . . $25.

3. For nonpreferred brand name drug with card . . . . . $40.

4. For generic mail order drug . . . . . $20.

5. For preferred brand name mail order drug . . . . . $50.

6. For nonpreferred brand name mail order drug . . . . . $80.

(b)~~(c)~~ Effective January 1, 2006, ~~through December 31, 2006,~~ for the State Group Health Insurance High Deductible Plan:

1. Retail coinsurance for generic drug with card . . . . . 30%.

2. Retail coinsurance for preferred brand name drug with card . . . . . 30%.

3. Retail coinsurance for nonpreferred brand name drug with card . . . . . 50%.

4. Mail order coinsurance for generic drug . . . . . 30%.

5. Mail order coinsurance for preferred brand name drug . . . 30%.

6. Mail order coinsurance for nonpreferred brand name drug . . . . . 50%.

(c)~~(d)~~ The Department of Management Services shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 5. Subsection (6) of section 110.2035, Florida Statutes, is amended to read:

110.2035 Classification and compensation program.—

(6) The department shall establish and maintain an equitable pay plan applicable to all occupations and shall be responsible for the overall review, coordination, and administration of the pay plan.

(a) The department shall provide for broad, market-based pay bands for occupations and shall establish guidelines for the employing agencies to move employees through these pay bands. The employing agencies may determine the appropriate salary within the pay bands and guidelines adopted by the department. Such pay bands, and the assignment of broadband levels to positions, shall not constitute rules within the meaning of s. 120.52.

(b) The department*, in consultation with the Executive Office of the Governor and the legislative appropriations committees,* shall conduct wage and salary surveys as necessary for the purpose of achieving the goal of an equitable, competitive, market-based pay policy.

(c) The department shall establish, by rule, guidelines with respect to, and shall delegate to the employing agencies, where appropriate, the authority to administer the following:

1. Shift differentials.

2. On-call fees.

3. Hazardous-duty pay.

4. Salary increase and decrease corrections.

5. Lead-worker pay.

6. Temporary special duties pay.

7. Trainer-additive pay.

8. Competitive area differentials.

9. Critical market pay.

The employing agency must use such pay additives as are appropriate within the guidelines established by the department *and consistent with the directions of the Legislature contained in the General Appropriations Act. The employing agency* ~~and~~ shall advise the department*, the Executive Office of the Governor, and the Legislature* in writing of the plan for implementing such pay additives prior to the implementation date. *An agency may not implement any pay additive to a cohort of positions sharing job classifications or job occupations unless the Legislature has specifically authorized such pay additives and such pay additives do not conflict with any collective bargaining agreement for that specific cohort of positions.* Any action by an employing agency to implement temporary special duties pay, competitive area differentials, or critical market pay may be implemented only after the department has reviewed and recommended such action; however, an employing agency may use temporary special duties pay for up to 3 months without prior review by the department. The department shall annually provide *to the Executive Office of the Governor and the Legislature* a summary report of the pay additives implemented pursuant to this section.

Section 6. Subsection (15) is added to section 112.061, Florida Statutes, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(15) CLASS C TRAVEL.—Moneys appropriated from the State Treasury may not be used to pay per diem or subsistence related to Class C travel.

Section 7. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employees; amending s. 39.8296, F.S.; requiring that the Justice Administrative Commission approve the classification plan and salary and benefits for employees of the Statewide

Guardian Ad Litem Office; amending s. 43.16, F.S.; providing that the employees of the Justice Administrative Commission are exempt from the Career Service System and not included in the Senior Management Service or Selected Exempt Service; requiring that such employees be offered benefits comparable to those of the Career Service System, with certain exceptions; requiring that the commission annually submit information concerning certain positions to the Executive Office of the Governor and the Legislature; providing that changes in such positions or level of benefits are subject to requirements for notice and objection; amending s. 110.123, F.S.; specifying the amount of the employer contribution to employee health savings accounts for the 2006-2007 fiscal year; amending s. 110.12315, F.S.; continuing the current schedules of copayments for the prescription drug program for state employees; deleting obsolete provisions; amending s. 110.2035, F.S.; requiring that the Department of Management Services conduct wage and salary surveys in consultation with the Executive Office of the Governor and legislative appropriations committees; requiring that an employing agency advise the Executive Office of the Governor and the Legislature of pay additives before the date of implementation; prohibiting pay additives for a cohort of positions unless specifically authorized by the Legislature and not in conflict with any collective bargaining agreement for that cohort of positions; requiring that the Department of Management Services annually report pay additives to the Executive Office of the Governor and the Legislature; amending s. 112.061, F.S.; prohibiting the use of moneys from the State Treasury for per diem or subsistence related to Class C travel; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **CS for SB 844** passed as recommended and the action of the Senate was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 840

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 840, same being:

An act relating to early childhood education authorizing the Agency for Workforce Innovation to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship programs; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
Dean Cannon
Marti Coley
s/Don Davis
Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 402.3017, Florida Statutes, is amended to read:

402.3017 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(1) The Legislature finds that the level of early child care teacher education and training is a key predictor for determining program quality. The Legislature also finds that low wages for child care workers prevent many from obtaining increased training and education and contribute to high turnover rates. The Legislature therefore intends to help fund a program which links teacher training and education to compensation and commitment to the field of early childhood education.

(2) The *Agency for Workforce Innovation* ~~Department of Children and Family Services~~ is authorized to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes.

(3) The *agency* ~~department~~ shall adopt rules as necessary to implement this section.

~~(4) For the 2005-2006 fiscal year only, the Agency for Workforce Innovation shall administer this section. This subsection expires July 1, 2006.~~

Section 2. Subsection (9) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(9) FUNDING; SCHOOL READINESS PROGRAM.—

(a) It is the intent of this section to establish an integrated and quality seamless service delivery system for all publicly funded early childhood education and child care programs operating in this state.

(b)1. The Agency for Workforce Innovation shall administer school readiness funds, plans, and policies and shall prepare and submit a unified budget request for the school readiness system in accordance with chapter 216.

2. All instructions to early learning coalitions for administering this section shall emanate from the Agency for Workforce Innovation in accordance with the policies of the Legislature.

(c) The Agency for Workforce Innovation shall *recommend* ~~adopt~~ a formula for the allocation among the early learning coalitions of all state and federal school readiness funds for children participating in public or private school readiness programs based upon equity and performance. The allocation formula must be submitted to the Governor*,* ~~and~~ the *chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor no later than January 1 of each year. The Legislature shall specify in the annual General Appropriations Act any changes from the allocation methodology for the prior fiscal year which must be used by the Agency for Workforce Innovation in allocating the appropriations provided in the General Appropriations Act* ~~Legislative Budget Commission. Upon approval, the Legislative Budget Commission shall authorize the Agency for Workforce Innovation to distribute funds in accordance with the allocation formula. For fiscal year 2004-2005, the Agency for Workforce Innovation shall allocate funds to the early learning coalitions consistent with the fiscal year 2003-2004 funding allocations to the school readiness coalitions~~.

(d) All state, federal, and required local maintenance-of-effort or matching funds provided to an early learning coalition for purposes of this section shall be used by the coalition for implementation of its school readiness plan, including the hiring of staff to effectively operate the coalition's school readiness program. As part of plan approval and periodic plan review, the Agency for Workforce Innovation shall require that administrative costs be kept to the minimum necessary for efficient and effective administration of the school readiness plan, but total administrative expenditures must not exceed 5 percent unless specifically waived by the Agency for Workforce Innovation. The Agency for Workforce Innovation shall annually report to the Legislature any problems relating to administrative costs.

(e) The Agency for Workforce Innovation shall annually distribute, to a maximum extent practicable, all eligible funds provided under this section as block grants to the early learning coalitions.

(f) State funds appropriated for the school readiness program may not be used for the construction of new facilities or the purchase of buses. The Agency for Workforce Innovation shall present to the Legislature recommendations for providing necessary transportation services for school readiness programs.

(g) All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund each early learning coalition's school readiness program.

Section 3. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to early childhood education; amending s. 402.3017, F.S.; authorizing the Agency for Workforce Innovation to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program; providing for rulemaking; deleting provisions that limit agency administration of the program to the 2005-2006 fiscal year; amending s. 411.01, F.S.; requiring the Agency for Workforce Innovation to recommend a school readiness equity allocation formula; providing for changes in the allocation of funds to be specified in the General Appropriations Act; eliminating approval of the allocation formula by the Legislative Budget Commission; eliminating an obsolete provision; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **CS for SB 840** passed as recommended and the action of the Senate was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 394

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 394, same being:

An act relating to social services funding; authorizing the Agency for Persons with Disabilities to submit an amendment to its original approved operating budget for certain purposes; providing for future repeal; deleting provisions requiring the Agency for Health Care Administration to make certain adjustments with respect to home and community-based services; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.

s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
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Joyce Cusack
Greg Evers
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Andy Gardiner
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s/Edward L. "Ed" Jennings
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Jeffrey D. "Jeff" Kottkamp
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David J. Mealor
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s/Ralph Poppell
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s/Curtis B. Richardson
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Ray Sansom
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s/D. Alan Hays
s/Dorothy L. Hukill
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s/Will S. Kendrick
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Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
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s/Sheri McInvale
Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (i) is added to subsection (2) of section 216.181, Florida Statutes, to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(2) Amendments to the original approved operating budgets for operational and fixed capital outlay expenditures must comply with the following guidelines in order to be approved by the Governor and the Legislative Budget Commission for the executive branch and the Chief Justice and the Legislative Budget Commission for the judicial branch:

(i) Notwithstanding paragraph (f), the Agency for Persons with Disabilities is authorized to submit an amendment to adjust its full-time equivalent positions, salary rate, and related budget authority to provide sufficient infrastructure and administrative support. This paragraph expires July 1, 2007.

Section 2. Subsection (4) of section 393.0661, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

393.0661 Home and community-based services delivery system; comprehensive redesign.—The Legislature finds that the home and community-based services delivery system for persons with developmental disabilities and the availability of appropriated funds are two of the critical elements in making services available. Therefore, it is the intent of the Legislature that the Agency for Persons with Disabilities shall develop and implement a comprehensive redesign of the system.

(4) Nothing in this section or in any administrative rule shall be construed to prevent or limit the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or from limiting enrollment, or making any other adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act. ~~If at any time, based upon an analysis by the Agency for Health Care Administration in consultation with the Agency for Persons with Disabilities, the cost of home and community-based waiver services are expected to exceed the appropriated amount, the Agency for Health Care Administration may implement any adjustment, including provider rate reductions, within 30 days in order to remain within the appropriation.~~

(5) The Agency for Persons with Disabilities shall submit quarterly status reports to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor regarding the financial status of home and community-based services, including the number of enrolled individuals who are receiving services through one or more programs; the number of individuals who have requested services who are not enrolled but who are receiving services through one or more programs, with a description indicating the programs from which the individual is receiving services; the number of individuals who have refused an offer of services but who choose to remain on the list of individuals waiting for services; the number of individuals who have requested services but who are receiving no services; a frequency distribution indicating the length of time individuals have been waiting for services; and information concerning the actual and projected costs compared to the amount of the appropriation available to the program and any projected surpluses or deficits. If at any time an analysis by the agency, in consultation with the Agency for Health Care Administration, indicates that the cost of services is expected to exceed the amount appropriated, the agency shall submit a plan in accordance with subsection (4) to the Executive Office of the Governor, the chair of Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor to remain within the amount appropriated.

Section 3. Paragraphs (a), (j), and (k) of subsection (4) of section 409.221, Florida Statutes, are amended to read:

409.221 Consumer-directed care program.—

(4) CONSUMER-DIRECTED CARE.—

(a) Program established.—The Agency for Health Care Administration shall establish the consumer-directed care program which shall be based on the principles of consumer choice and control. The agency shall implement the program upon federal approval. The agency shall establish interagency cooperative agreements with and shall work with the Departments of Elderly Affairs, Health, and Children and Family Services *and the Agency for Persons with Disabilities* to implement and administer the program. The program shall allow enrolled persons to choose the providers of services and to direct the delivery of services, to best meet their long-term care needs. The program must operate within the funds appropriated by the Legislature.

(j) Rules; federal waivers.—In order to implement this section:

1. The agency and the Departments of Elderly Affairs, Health, and Children and Family Services *and the Agency for Persons with Disabilities* are authorized to adopt and enforce rules.

2. The agency shall take all necessary action to ensure state compliance with federal regulations. The agency shall apply for any necessary federal waivers or waiver amendments needed to implement the program.

(k) Reviews and reports.—The agency and the Departments of Elderly Affairs, Health, and Children and Family Services *and the Agency for Persons with Disabilities* shall each, on an ongoing basis, review and

assess the implementation of the consumer-directed care program. By January 15 of each year, the agency shall submit a written report to the Legislature that includes each department's review of the program and contains recommendations for improvements to the program.

Section 4. Paragraph (d) of subsection (15) of section 440.02, Florida Statutes, is amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(15)

(d) "Employee" does not include:

1. An independent contractor who is not engaged in the construction industry.

a. In order to meet the definition of independent contractor, at least four of the following criteria must be met:

(I) The independent contractor maintains a separate business with his or her own work facility, truck, equipment, materials, or similar accommodations;

(II) The independent contractor holds or has applied for a federal employer identification number, unless the independent contractor is a sole proprietor who is not required to obtain a federal employer identification number under state or federal regulations;

(III) The independent contractor receives compensation for services rendered or work performed and such compensation is paid to a business rather than to an individual;

(IV) The independent contractor holds one or more bank accounts in the name of the business entity for purposes of paying business expenses or other expenses related to services rendered or work performed for compensation;

(V) The independent contractor performs work or is able to perform work for any entity in addition to or besides the employer at his or her own election without the necessity of completing an employment application or process; or

(VI) The independent contractor receives compensation for work or services rendered on a competitive-bid basis or completion of a task or a set of tasks as defined by a contractual agreement, unless such contractual agreement expressly states that an employment relationship exists.

b. If four of the criteria listed in sub-subparagraph a. do not exist, an individual may still be presumed to be an independent contractor and not an employee based on full consideration of the nature of the individual situation with regard to satisfying any of the following conditions:

(I) The independent contractor performs or agrees to perform specific services or work for a specific amount of money and controls the means of performing the services or work.

(II) The independent contractor incurs the principal expenses related to the service or work that he or she performs or agrees to perform.

(III) The independent contractor is responsible for the satisfactory completion of the work or services that he or she performs or agrees to perform.

(IV) The independent contractor receives compensation for work or services performed for a commission or on a per-job basis and not on any other basis.

(V) The independent contractor may realize a profit or suffer a loss in connection with performing work or services.

(VI) The independent contractor has continuing or recurring business liabilities or obligations.

(VII) The success or failure of the independent contractor's business depends on the relationship of business receipts to expenditures.

c. Notwithstanding anything to the contrary in this subparagraph, an individual claiming to be an independent contractor has the burden of proving that he or she is an independent contractor for purposes of this chapter.

2. A real estate licensee, if that person agrees, in writing, to perform for remuneration solely by way of commission.

3. Bands, orchestras, and musical and theatrical performers, including disk jockeys, performing in licensed premises as defined in chapter 562, if a written contract evidencing an independent contractor relationship is entered into before the commencement of such entertainment.

4. An owner-operator of a motor vehicle who transports property under a written contract with a motor carrier which evidences a relationship by which the owner-operator assumes the responsibility of an employer for the performance of the contract, if the owner-operator is required to furnish motor vehicle equipment as identified in the written contract and the principal costs incidental to the performance of the contract, including, but not limited to, fuel and repairs, provided a motor carrier's advance of costs to the owner-operator when a written contract evidences the owner-operator's obligation to reimburse such advance shall be treated as the owner-operator furnishing such cost and the owner-operator is not paid by the hour or on some other time-measured basis.

5. A person whose employment is both casual and not in the course of the trade, business, profession, or occupation of the employer.

6. A volunteer, except a volunteer worker for the state or a county, municipality, or other governmental entity. A person who does not receive monetary remuneration for services is presumed to be a volunteer unless there is substantial evidence that a valuable consideration was intended by both employer and employee. For purposes of this chapter, the term "volunteer" includes, but is not limited to:

a. Persons who serve in private nonprofit agencies and who receive no compensation other than expenses in an amount less than or equivalent to the standard mileage and per diem expenses provided to salaried employees in the same agency or, if such agency does not have salaried employees who receive mileage and per diem, then such volunteers who receive no compensation other than expenses in an amount less than or equivalent to the customary mileage and per diem paid to salaried workers in the community as determined by the department; and

b. Volunteers participating in federal programs established under Pub. L. No. 93-113.

7. Unless otherwise prohibited by this chapter, any officer of a corporation who elects to be exempt from this chapter. Such officer is not an employee for any reason under this chapter until the notice of revocation of election filed pursuant to s. 440.05 is effective.

8. An officer of a corporation that is engaged in the construction industry who elects to be exempt from the provisions of this chapter, as otherwise permitted by this chapter. Such officer is not an employee for any reason until the notice of revocation of election filed pursuant to s. 440.05 is effective.

9. An exercise rider who does not work for a single horse farm or breeder, and who is compensated for riding on a case-by-case basis, provided a written contract is entered into prior to the commencement of such activity which evidences that an employee/employer relationship does not exist.

10. A taxicab, limousine, or other passenger vehicle-for-hire driver who operates said vehicles pursuant to a written agreement with a company which provides any dispatch, marketing, insurance, communications, or other services under which the driver and any fees or charges paid by the driver to the company for such services are not conditioned upon, or expressed as a proportion of, fare revenues.

11. A person who performs services as a sports official for an entity sponsoring an interscholastic sports event or for a public entity or private, nonprofit organization that sponsors an amateur sports event. For purposes of this subparagraph, such a person is an independent contractor. For purposes of this subparagraph, the term "sports official" means any person who is a neutral participant in a sports event, including, but not limited to, umpires, referees, judges, linespersons, scorekeepers, or timekeepers. This subparagraph does not apply to any person employed by a district school board who serves as a sports official as required by

the employing school board or who serves as a sports official as part of his or her responsibilities during normal school hours.

12. Medicaid-enrolled clients under chapter 393 who are excluded from the definition of employment under s. 443.1216(4)(d) and served by Adult Day Training Services under the Home and Community-Based or the Family and Supported Living Medicaid Waiver program in a sheltered workshop setting licensed by the United States Department of Labor for the purpose of training and earning less than the federal hourly minimum wage.

13. Medicaid-enrolled clients under chapter 393 who are excluded from the definition of employment under s. 443.1216(4)(d) and served by Adult Day Training Services under the Family and Supported Living Medicaid Waiver program in a sheltered workshop setting licensed by the United States Department of Labor for the purpose of training and earning less than the federal hourly minimum wage. ~~This subparagraph expires July 1, 2006.~~

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to social services; amending s. 216.181, F.S.; authorizing the Agency for Persons with Disabilities to submit an amendment to its original approved operating budget for certain purposes; providing for future repeal; amending s. 393.0661, F.S.; deleting provisions requiring the Agency for Health Care Administration to make certain adjustments with respect to home and community-based services; requiring that the Agency for Persons with Disabilities report quarterly to the Governor and Legislature the financial status of home and community-based services provided under a federally approved waiver; specifying contents of the reports; requiring that the agency, in consultation with the Agency for Health Care Administration, submit a plan to the Legislative Budget Commission for approval of adjustments to the rates for such services in order to remain within the amount appropriated; amending s. 409.221, F.S., relating to the consumer-directed care program; providing that the interagency cooperative agreements established by the Agency for Health Care Administration shall include the Agency for Persons with Disabilities; authorizing the Agency for Persons with Disabilities to adopt and enforce certain rules, review and assess implementation of the program, and submit a report to the Legislature; amending s. 440.02, F.S.; deleting provisions providing for the expiration of an exemption from coverage under workers' compensation law for certain clients enrolled in the Medicaid program who are served by Adult Day Training Services; providing an effective date.

The Conference Committee Report was read and on motion by Senator Saunders was adopted. **CS for SB 394** passed as recommended and the action of the Senate was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 818

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 818, same being:

An act relating to distributons from the Fuel Tax collection Trust Fund; providing for the distribution of funds to the Florida Coastal Protection Trust Fund and the Inland Protection Trust Fund; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
Joyce Cusack
Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
s/Sandra "Sandy" Adams
Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters

Trudi K. Williams *s/Juan C. Zapata*

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 206.9945, Florida Statutes, is amended to read:

206.9945 Funds collected; disposition; department authority.—

(1) The department shall deposit all funds received and collected by it under this part into the Fuel Tax Collection Trust Fund to be transferred, less the costs of administration and less the service charges to be deducted pursuant to s. 215.20, as follows:

(a) Moneys collected pursuant to s. 206.9935(1) *and tax revenues collected pursuant to s. 207.003 at the rates specified in s. 206.9935(3)* shall be transferred to the Florida Coastal Protection Trust Fund as provided in s. 376.11;

(b) Moneys collected pursuant to s. 206.9935(2) shall be transferred to the Water Quality Assurance Trust Fund as provided in s. 376.307; and

(c) Moneys collected pursuant to s. 206.9935(3), less any refunds granted under s. 206.9942, shall be transferred to the Inland Protection Trust Fund as provided in s. 376.3071. *This paragraph does not apply to moneys collected pursuant to s. 207.003 and transferred pursuant to paragraph (a).*

Section 2. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to distributions from the Fuel Tax Collection Trust Fund; amending s. 206.9945, F.S.; providing for the distribution of funds to the Florida Coastal Protection Trust Fund and the Inland Protection Trust Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Clary was adopted. **CS for SB 818** passed as recommended and the action of the Senate was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

Vote after roll call:

Yea—Lynn

LOCAL BILL CALENDAR

RECONSIDERATION OF BILL

On motion by Senator Rich, the rules were waived and the Senate reconsidered the vote by which—

SB 2814—A bill to be entitled An act relating to the City of Lauderhill, Broward County; extending and enlarging the corporate limits of the City of Lauderhill to include specific unincorporated lands within said corporate limits; providing for transfer of public roads and rights-of-way; providing for powers and services over annexed area; providing for continuation of contracts in effect prior to annexation; providing an effective date.

—passed May 4.

On motion by Senator Rich, by two-thirds vote—

HB 1355—A bill to be entitled An act relating to the City of Lauderhill, Broward County; extending and enlarging the corporate limits of the City of Lauderhill to include specific unincorporated lands within said corporate limits; providing for transfer of public roads and rights-of-way; providing for powers and services over annexed area; providing for continuation of contracts in effect prior to annexation; providing an effective date.

—a companion measure, was substituted for **SB 2814** and read the second time by title. On motion by Senator Rich, by two-thirds vote **HB 1355** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Rich, the rules were waived and the Senate reconsidered the vote by which—

SB 2828—A bill to be entitled An act relating to Broward County; providing for annexation and deannexation of certain described lands within the municipal limits of the City of Pembroke Pines and the Town of Southwest Ranches; providing an effective date.

—passed May 4.

On motion by Senator Rich, by two-thirds vote—

HB 1585—A bill to be entitled An act relating to Broward County; providing for annexation and deannexation of certain described lands within the municipal limits of the City of Pembroke Pines and the Town of Southwest Ranches; providing an effective date.

—a companion measure, was substituted for **SB 2828** and read the second time by title. On motion by Senator Rich, by two-thirds vote **HB 1585** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Klein
Alexander	Dawson	Lawson
Argenziano	Diaz de la Portilla	Lynn
Aronberg	Dockery	Margolis
Atwater	Fasano	Miller
Baker	Garcia	Peaden
Bennett	Geller	Posey
Campbell	Haridopolos	Pruitt
Carlton	Hill	Rich
Clary	Jones	Saunders
Constantine	King	Sebesta

Siplin	Villalobos	Wilson
Smith	Webster	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Rich, the rules were waived and the Senate reconsidered the vote by which—

SB 2842—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Town of Davie; providing for annexation of the unincorporated area known as Broadview Park; providing for an election; providing boundaries; providing for an effective date of annexation; providing for an interlocal agreement; providing for a continuation of certain Broward County regulations; providing for the transfer of public roads and rights-of-way; providing an effective date.

—passed May 4.

On motion by Senator Rich, by two-thirds vote—

HB 1127—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Town of Davie; providing for annexation of the unincorporated area known as Broadview Park; providing for an election; providing boundaries; providing for an effective date of annexation; providing for an interlocal agreement; providing for a continuation of certain Broward County regulations; providing for the transfer of public roads and rights-of-way; providing an effective date.

—a companion measure, was substituted for **SB 2842** and read the second time by title. On motion by Senator Rich, by two-thirds vote **HB 1127** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING, continued

On motion by Senator Dockery, by two-thirds vote **HB 1347** was withdrawn from the Committees on Environmental Preservation; Agriculture; Governmental Oversight and Productivity; General Government Appropriations; and Ways and Means.

On motion by Senator Dockery, the rules were waived and by two-thirds vote—

HB 1347—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S.; providing that taxes distributed to pay debt service on Preservation 2000 bonds, Florida Forever bonds, and Save Our Everglades bonds shall, under specified circumstances, be collectively distributed on a pro rata basis; correcting a cross-reference; deleting obsolete provisions; amending s. 215.619, F.S.; providing that Everglades restoration bonds are on a parity basis with other land acquisition bonds; amending s. 259.032, F.S.; authorizing the use of funds in the Conservation and Recreation Lands Trust Fund for management, maintenance, and capital improvements for conservation and recreation lands, including lands acquired under the Babcock Crescent B Ranch Florida Forever acquisition; revising requirements for the development of an individual land management plan; amending s. 259.105, F.S.; establishing the Legislature's intent that the protection and buffering of military installations is of great importance; directing the Acquisition and Restoration Council to also give priority consideration to the acquisition of lands that protect and buffer military installations; amending s. 259.1051, F.S.; conforming the distribution of funds from the Florida Forever Trust Fund; creating s. 259.1052, F.S.; providing for the acquisition of the state's portion of the Babcock Crescent B Ranch; providing a definition; granting authority to the Department of Environmental Protection to distribute funds for the acquisition of the Babcock Crescent B Ranch; creating s. 259.106,F.S.; creating the Babcock Ranch Preserve Act; providing definitions; creating the Babcock Ranch Preserve, a conservation acquisition with certain goals; creating Babcock Ranch, Inc., a not-for-profit corporation to be incorporated in the state; providing that the corporation shall act as an instrumentality of the state for purposes of sovereign immunity under s. 768.28, F.S.; providing that the corporation shall not be an agency under s. 20.03, F.S., or a unit or entity of state government; providing that the corporation is subject to the provisions of chs. 119 and 286, F.S., relating to public records and meetings; requiring public records and meetings; providing for the corporation to be governed by a board of directors; providing for the qualifications, appointment, removal, and liability of board members and their terms of office; prohibiting any board member from voting on any measure that constitutes a conflict of interest; providing for the board members to serve without compensation, but to receive per diem and travel expenses; providing for organization and meetings; authorizing state agencies to provide state employees for purposes of implementing the Babcock Ranch Preserve; providing certain powers and duties of the corporation; providing limitations on the powers and duties of the corporation; providing that the corporation and its subsidiaries must provide equal employment opportunities; providing for the corporation to establish and manage an operating fund; requiring an annual financial audit of the accounts and records of the corporation; requiring annual reports by the corporation to the Board of Trustees of the Internal Improvement Trust Fund, the Legislature, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission; requiring that the corporation prepare an annual budget; specifying a goal of financially self-sustaining operation within a certain period; providing for the corporation to retain donations and other moneys; requiring that the corporation adopt articles of incorporation and bylaws subject to the approval of the Board of Trustees of the Internal Improvement Trust Fund; authorizing the corporation to appoint advisory committees; providing requirements for a comprehensive business plan; specifying the procedures by which the corporation shall assume the management and operation of the Babcock Ranch Preserve; prohibiting the corporation from taking certain actions without the consent of the Board of Trustees of the Internal Improvement Trust Fund; requiring that the corporation be subject to certain state laws and rules governing the procurement of commodities and services; authorizing the corporation to assess reasonable fees; providing for management of the Babcock Ranch Preserve until expiration of a current management agreement; providing for reversion of the management and operation responsibilities to certain agencies upon the dissolution of the corporation; providing that the corporation may be dissolved only by an act of the Legislature; providing for reversion of funds upon the dissolution of the corporation; providing for appropriations and certain conditions therefor; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1226** as amended and read the second time by title.

MOTION

On motion by Senator Dockery, the rules were waived to allow the following amendment to be considered:

Senators Dockery and Bennett offered the following amendment which was moved by Senator Dockery and adopted:

Amendment 1 (060614)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and subsections (11) and (13) of section 201.15, Florida Statutes, are amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter shall be distributed as follows and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:

(1) Sixty-two and sixty-three hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(b) *Moneys* ~~The remainder of the moneys distributed under this subsection, after the required payment under paragraph (a),~~ shall be paid into the State Treasury to the credit of the Save Our Everglades Trust Fund in amounts necessary to pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to bonds issued under s. 215.619. *Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.*

(11) From the moneys specified in *paragraphs (1)(e)* ~~paragraphs (1)(d)~~ and (2)(a) and prior to deposit of any moneys into the General Revenue Fund, $30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund in fiscal year 2000-2001 and each fiscal year thereafter, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212, and $2 million shall be paid into the State Treasury to the credit of the Marine Resources Conservation Trust Fund to be used for marine mammal care as provided in s. 370.0603(3).

(13) The distribution of proceeds deposited into the Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and (5), shall not be used for land acquisition, but may be used for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 and 373.59. ~~Prior to the 2005 Regular Session of the Legislature, the Acquisition and Restoration Council shall review and make recommendations to the Legislature concerning the need to repeal this provision. Based on these recommendations, the Legislature shall review the need to repeal this provision during the 2005 Regular Session.~~

Section 2. Effective July 1, 2007, paragraph (b) of subsection (1), and subsections (11) and (13) of section 201.15, Florida Statutes, as amended by section 1 of chapter 2005-92, Laws of Florida, are amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter shall be distributed as follows and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:

(1) Sixty-two and sixty-three hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(b) *Moneys* ~~The remainder of the moneys distributed under this subsection, after the required payment under paragraph (a),~~ shall be paid into the State Treasury to the credit of the Save Our Everglades Trust Fund in amounts necessary to pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to bonds issued under s. 215.619. *Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.*

(11) From the moneys specified in *paragraphs (1)(e)* ~~paragraphs (1)(d)~~ and (2)(a) and prior to deposit of any moneys into the General Revenue Fund, $30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund in fiscal year 2000-2001 and each fiscal year thereafter, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212, and $2 million shall be paid into the State Treasury to the credit of the Marine Resources Conservation Trust Fund to be used for marine mammal care as provided in s. 370.0603(3).

(13) The distribution of proceeds deposited into the Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and (5), shall not be used for land acquisition, but may be used for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 and 373.59. ~~Prior to the 2005 Regular Session of the Legislature, the Acquisition and Restoration Council shall review and make recommendations to the Legislature concerning the need to repeal this provision. Based on these recommendations, the Legislature shall review the need to repeal this provision during the 2005 Regular Session.~~

Section 3. Subsection (3) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(3) Everglades restoration bonds are payable from, and secured by a first lien on, taxes distributable under s. 201.15(1)(b) and do not constitute a general obligation of, or a pledge of the full faith and credit of, the state. Everglades restoration bonds *shall be secured on a parity basis with* ~~are junior and subordinate to~~ bonds secured by moneys distributable under s. 201.15(1)(a).

Section 4. Paragraph (b) of subsection (2), paragraphs (e) and (f) of subsection (9), paragraph (d) of subsection (10), and paragraph (b) of subsection (11) of section 259.032, Florida Statutes, are amended to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(2)

(b) There shall annually be transferred from the Conservation and Recreation Lands Trust Fund to the Land Acquisition Trust Fund that amount, not to exceed $20 million annually, as shall be necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts with respect to bonds issued pursuant to s. 375.051 to acquire lands on the established priority list developed pursuant to *ss. 259.101(4) and 259.105* ~~this section~~; however, no moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph, or earnings thereon, shall be used or made available to pay debt service on the Save Our Coast revenue bonds. Amounts transferred annually from the Conservation and Recreation Lands Trust Fund to the Land Acquisition Trust Fund pursuant to this paragraph shall have the highest priority over other payments or transfers from the Conservation and Recreation Lands Trust Fund, and no other payments or transfers shall be made from the Conservation and Recreation Lands Trust Fund until such transfers to the Land Acquisition Trust Fund have been made. ~~Effective July 1, 2001,~~ Moneys in the Conservation and Recreation Lands Trust Fund also shall be used to manage lands and to pay for related costs, activities, and functions pursuant to the provisions of this section.

(9) All lands managed under this chapter and s. 253.034 shall be:

(e) Concurrent with the approval of the acquisition contract pursuant to s. 259.041(3)(c) for any interest in lands *except those lands being acquired under the provisions of s. 259.1052*, the board of trustees shall designate an agency or agencies to manage such lands. *The board* ~~and~~ shall evaluate and amend, as appropriate, the management policy statement for the project as provided by s. 259.035, consistent with the purposes for which the lands are acquired. For any fee simple acquisition of a parcel which is or will be leased back for agricultural purposes, or any acquisition of a less-than-fee interest in land that is or will be used for agricultural purposes, the Board of Trustees of the Internal Improvement Trust Fund shall first consider having a soil and water conservation district, created pursuant to chapter 582, manage and monitor such interests.

(f) State agencies designated to manage lands acquired under this chapter *except those lands acquired under s. 259.1052* may contract with local governments and soil and water conservation districts to assist in management activities, including the responsibility of being the lead land manager. Such land management contracts may include a provision for the transfer of management funding to the local government or soil and water conservation district from the Conservation and Recreation Lands Trust Fund in an amount adequate for the local government or soil and water conservation district to perform its contractual land management responsibilities and proportionate to its responsibilities,

and which otherwise would have been expended by the state agency to manage the property.

(10)

(d)*1.* For each project for which lands are acquired after July 1, 1995, an individual management plan shall be adopted and in place no later than 1 year after the essential parcel or parcels identified *in the priority list developed pursuant to ss. 259.101(4) and 259.105* ~~in the annual Conservation and Recreation Lands report prepared pursuant to s. 259.035(2)(a)~~ have been acquired. ~~Beginning in fiscal year 1998-1999,~~ The Department of Environmental Protection shall distribute only 75 percent of the acquisition funds to which a budget entity or water management district would otherwise be entitled from the Preservation 2000 Trust Fund to any budget entity or any water management district that has more than one-third of its management plans overdue.

2. The requirements of subparagraph 1. do not apply to the individual management plan for the Babcock Crescent B Ranch being acquired pursuant to s. 259.1052. The management plan for the ranch shall be adopted and in place no later than 2 years following the date of acquisition by the state.

(11)

(b) An amount up to 1.5 percent of the cumulative total of funds ever deposited into the Florida Preservation 2000 Trust Fund and the Florida Forever Trust Fund shall be made available for the purposes of management, maintenance, and capital improvements not eligible for funding pursuant to s. 11(e), Art. VII of the State Constitution, and for associated contractual services, for lands acquired pursuant to this section, s. 259.101, s. 259.105, *s. 259.1052,* or previous programs for the acquisition of lands for conservation and recreation, including state forests, to which title is vested in the board of trustees and other conservation and recreation lands managed by a state agency. Of this amount, $250,000 shall be transferred annually to the Plant Industry Trust Fund within the Department of Agriculture and Consumer Services for the purpose of implementing the Endangered or Threatened Native Flora Conservation Grants Program pursuant to s. 581.185(11). Each agency with management responsibilities shall annually request from the Legislature funds sufficient to fulfill such responsibilities. For the purposes of this paragraph, capital improvements shall include, but need not be limited to, perimeter fencing, signs, firelanes, access roads and trails, and minimal public accommodations, such as primitive campsites, garbage receptacles, and toilets. Any equipment purchased with funds provided pursuant to this paragraph may be used for the purposes described in this paragraph on any conservation and recreation lands managed by a state agency.

Section 5. Subsections (2), and (10) of section 259.105, Florida Statutes, are amended to read:

259.105 The Florida Forever Act.—

(2)(a) The Legislature finds and declares that:

1. The Preservation 2000 program provided tremendous financial resources for purchasing environmentally significant lands to protect those lands from imminent development, thereby assuring present and future generations access to important open spaces and recreation and conservation lands.

2. The continued alteration and development of Florida's natural areas to accommodate the state's rapidly growing population have contributed to the degradation of water resources, the fragmentation and destruction of wildlife habitats, the loss of outdoor recreation space, and the diminishment of wetlands, forests, and public beaches.

3. The potential development of Florida's remaining natural areas and escalation of land values require a continuation of government efforts to restore, bring under public protection, or acquire lands and water areas to preserve the state's invaluable quality of life.

4. Florida's groundwater, surface waters, and springs are under tremendous pressure due to population growth and economic expansion and require special protection and restoration efforts. To ensure that sufficient quantities of water are available to meet the current and future needs of the natural systems and citizens of the state, and assist in achieving the planning goals of the department and the water management districts, water resource development projects on public lands, where compatible with the resource values of and management objectives for the lands, are appropriate.

5. The needs of urban Florida for high-quality outdoor recreational opportunities, greenways, trails, and open space have not been fully met by previous acquisition programs. Through such programs as the Florida Communities Trust and the Florida Recreation Development Assistance Program, the state shall place additional emphasis on acquiring, protecting, preserving, and restoring open space, greenways, and recreation properties within urban areas where pristine natural communities or water bodies no longer exist because of the proximity of developed property.

6. Many of Florida's unique ecosystems, such as the Florida Everglades, are facing ecological collapse due to Florida's burgeoning population. To preserve these valuable ecosystems for future generations, parcels of land must be acquired to facilitate ecosystem restoration.

7. Access to public lands to support a broad range of outdoor recreational opportunities and the development of necessary infrastructure, where compatible with the resource values of and management objectives for such lands, promotes an appreciation for Florida's natural assets and improves the quality of life.

8. Acquisition of lands, in fee simple or in any lesser interest, should be based on a comprehensive assessment of Florida's natural resources and planned so as to protect the integrity of ecological systems and provide multiple benefits, including preservation of fish and wildlife habitat, recreation space for urban as well as rural areas, and water recharge.

9. The state has embraced performance-based program budgeting as a tool to evaluate the achievements of publicly funded agencies, build in accountability, and reward those agencies which are able to consistently achieve quantifiable goals. While previous and existing state environmental programs have achieved varying degrees of success, few of these programs can be evaluated as to the extent of their achievements, primarily because performance measures, standards, outcomes, and goals were not established at the outset. Therefore, the Florida Forever program shall be developed and implemented in the context of measurable state goals and objectives.

10. It is the intent of the Legislature to change the focus and direction of the state's major land acquisition programs and to extend funding and bonding capabilities, so that future generations may enjoy the natural resources of Florida.

(b) The Legislature recognizes that acquisition is only one way to achieve the aforementioned goals and encourages the development of creative partnerships between governmental agencies and private landowners. Land protection agreements and similar tools should be used, where appropriate, to bring environmentally sensitive tracts under an acceptable level of protection at a lower financial cost to the public, and to provide private landowners with the opportunity to enjoy and benefit from their property.

(c) Public agencies or other entities that receive funds under this section are encouraged to better coordinate their expenditures so that project acquisitions, when combined with acquisitions under Preservation 2000, Save Our Rivers, the Florida Communities Trust, and other public land acquisition programs, will form more complete patterns of protection for natural areas and functioning ecosystems, to better accomplish the intent of this section.

(d) A long-term financial commitment to managing Florida's public lands must accompany any new land acquisition program to ensure that the natural resource values of such lands are protected, that the public has the opportunity to enjoy the lands to their fullest potential, and that the state achieves the full benefits of its investment of public dollars.

(e) With limited dollars available for restoration and acquisition of land and water areas and for providing long-term management and capital improvements, a competitive selection process can select those projects best able to meet the goals of Florida Forever and maximize the efficient use of the program's funding.

(f) To ensure success and provide accountability to the citizens of this state, it is the intent of the Legislature that any bond proceeds used pursuant to this section be used to implement the goals and objectives

recommended by the Florida Forever Advisory Council as approved by the Board of Trustees of the Internal Improvement Trust Fund and the Legislature.

(g) As it has with previous land acquisition programs, the Legislature recognizes the desires of the citizens of this state to prosper through economic development and to preserve the natural areas and recreational open space of Florida. The Legislature further recognizes the urgency of restoring the natural functions of public lands or water bodies before they are degraded to a point where recovery may never occur, yet acknowledges the difficulty of ensuring adequate funding for restoration efforts in light of other equally critical financial needs of the state. It is the Legislature's desire and intent to fund the implementation of this section and to do so in a fiscally responsible manner, by issuing bonds to be repaid with documentary stamp tax revenue.

(h) The Legislature further recognizes the important role that many of our state and federal military installations contribute to protecting and preserving Florida's natural resources as well as our economic prosperity. Where the state's land conservation plans overlap with the military's need to protect lands, waters, and habitat to ensure the sustainability of military missions, it is the Legislature's intent that agencies receiving funds under this program cooperate with our military partners to protect and buffer military installations and military airspace, by:

1. Protecting habitat on non-military land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute.

2. Protecting areas underlying low-level military air corridors or operating areas, and

3. Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by our military partners.

(10) The Acquisition and Restoration Council shall give increased priority to those projects for which matching funds are available and to project elements previously identified on an acquisition list pursuant to this section that can be acquired at 80 percent or less of appraised value. *The council shall also give increased priority to those projects where the state's land conservation plans overlap with the military's need to protect lands, water, and habitat to ensure the sustainability of military missions including:*

(a) Protecting habitat on non-military land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute.

(b) Protecting areas underlying low-level military air corridors or operating areas, and

(c) Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by our military partners, and for which federal or other funding is available to assist with the project.

Section 6. Subsections (1) and (2) of section 259.1051, Florida Statutes, are amended to read:

259.1051 Florida Forever Trust Fund.—

(1) There is created the Florida Forever Trust Fund to carry out the purposes of ss. 259.032, 259.105, *259.1052,* and 375.031. The Florida Forever Trust Fund shall be held and administered by the Department of Environmental Protection. Proceeds from the sale of bonds, except proceeds of refunding bonds, issued under s. 215.618 and payable from moneys transferred to the Land Acquisition Trust Fund under s. 201.15(1)(a), not to exceed $3 billion, must be deposited into this trust fund to be distributed and used as provided in s. 259.105(3). The bond resolution adopted by the governing board of the Division of Bond Finance of the State Board of Administration may provide for additional provisions that govern the disbursement of the bond proceeds.

(2) The Department of Environmental Protection shall distribute revenues from the Florida Forever Trust Fund only to programs of state agencies or local governments as set out in s. 259.105(3) *or as provided in s. 259.1052*. Excluding distributions to the Save Our Everglades Trust Fund *and distributions for the acquisition of the Babcock Crescent B Ranch Florida Forever acquisition as provided in s. 259.1052*, the distributions shall be spent by the recipient within 90 days after the date on which the Department of Environmental Protection initiates the transfer.

Section 7. Section 259.1052, Florida Statutes, is created to read:

259.1052 Babcock Crescent B Ranch Florida Forever acquisition; conditions for purchase.—

(1) The acquisition of the state's portion of the Babcock Crescent B Ranch by the Board of Trustees of the Internal Improvement Trust Fund is a conservation acquisition under the Florida Forever program created in s. 259.105, with a goal of sustaining the ecological and economic integrity of the property being acquired while allowing the business of the ranch to operate and prosper.

(2) The Babcock Crescent B Ranch constitutes a unique land mass that has significant scientific, cultural, historical, recreational, ecological, wildlife, fisheries, and productive values. The property is part of a potential greenway of undeveloped land extending from Lake Okeechobee to the east and Charlotte Harbor to the west. The natural beauty and abundant resources of the ranch provide numerous public recreational opportunities such as hiking, fishing, camping, horseback riding, and hunting.

(3) The Legislature recognizes that the acquisition of the state's portion of the Babcock Crescent B Ranch represents a unique opportunity to assist in preserving the largest private and undeveloped single-ownership tract of land in Charlotte County. The Legislature further recognizes Lee County as a partner in the acquisition of the ranch.

(4) This section authorizes the acquisition of the state's portion of the Babcock Crescent B Ranch in order to protect and preserve for future generations the scientific, scenic, historic, and natural values of the ranch, including rivers and ecosystems; to protect and preserve the archaeological, geological, and cultural resources of the ranch; to provide for species recovery; and to provide opportunities for public recreation.

(5) The Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services shall be the lead managing agencies responsible for the management of Babcock Crescent B Ranch.

(6) In addition to distributions authorized under s. 259.105(3), the Department of Environmental Protection is authorized to distribute $310 million in revenues from the Florida Forever Trust Fund. This distribution shall represent payment in full for the portion of the Babcock Crescent B Ranch to be acquired by the state under this section.

(7) As used in this section, the term "state's portion of the Babcock Crescent B Ranch" comprises those lands to be conveyed by special warranty deed to the Board of Trustees of the Internal Improvement Trust Fund under the provisions of the agreement for sale and purchase executed by the Board of Trustees of the Internal Improvement Trust Fund, the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, and the participating local government, as purchaser, and MSKP, III, a Florida corporation, as seller.

Section 8. Section 259.10521, Florida Statutes, is created to read:

259.10521 Citizen support organization; use of property.—

(1) DEFINITIONS.—For the purpose of this section, the "Citizen support organization" means an organization that is:

(a) A Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the Department of State;

(b) Organized and operated to conduct programs and activities in the best interest of the state; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the Babcock Crescent B Ranch;

(c) Determined by the Fish and Wildlife Conservation Commission and the Division of Forestry within the Department of Agriculture and

Consumer Services to be consistent with the goals of the state in acquiring the ranch and in the best interests of the state; and

(d) Approved in writing by the Fish and Wildlife Conservation Commission and the Division of Forestry to operate for the direct or indirect benefit of the ranch and in the best interest of the state. Such approval shall be given in a letter of agreement from the Fish and Wildlife Conservation Commission and the Division of Forestry. Only one citizen support organization may be created to operate for the direct or indirect benefit of the Babcock Crescent B Ranch.

(2) USE OF PROPERTY.—

(a) The Fish and Wildlife Conservation Commission and the Division of Forestry may permit, without charge, appropriate use of fixed property and facilities of the Babcock Crescent B Ranch by a citizen support organization, subject to the provisions of this section. Such use must be directly in keeping with the approved purposes of the citizen support organization, and may not be made at times or places that would unreasonably interfere with recreational opportunities for the general public.

(b) The Fish and Wildlife Conservation Commission and the Division of Forestry may prescribe by rule any condition with which the citizen support organization shall comply in order to use fixed property or facilities of the ranch.

(c) The Fish and Wildlife Conservation Commission and the Division of Forestry shall not permit the use of any fixed property or facilities of the ranch by a citizen support organization that does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(3) PARTNERSHIPS.—

(a) The Legislature recognizes that the Babcock Crescent B Ranch will need a variety of facilities to enhance its public use and potential. Such facilities include, but are not limited to, improved access, camping areas, picnic shelters, management facilities, and environmental education facilities. The need for such facilities may exceed the ability of the state to provide such facilities in a timely manner with moneys available. The Legislature finds it to be in the public interest to provide incentives for partnerships with private organizations with the intent of producing additional revenue to help enhance the use and potential of the ranch.

(b) The Legislature may annually appropriate funds from the Land Acquisition Trust Fund for use only as state matching funds, in conjunction with private donations in aggregates of at least $60,000, matched by $40,000 of state funds, for a total minimum project amount of $100,000 for capital improvement facility development at the ranch at either individually designated locations or for priority projects within the overall ranch system. The citizen support organization may acquire private donations pursuant to this section, and matching state funds for approved projects may be provided in accordance with this subsection. The Fish and Wildlife Conservation Commission and the Division of Forestry are authorized to properly recognize and honor a private donor by placing a plaque or other appropriate designation noting the contribution on project facilities or by naming project facilities after the person or organization that provided matching funds. The Fish and Wildlife Conservation Commission and the Division of Forestry are authorized to adopt necessary administrative rules to carry out the purposes of this subsection.

Section 9. Section 259.1053, Florida Statutes, is created to read:

259.1053 Babcock Ranch Preserve; Babcock Ranch, Inc.; creation; membership; organization; meetings.—

(1) SHORT TITLE.—This section may be cited as the "Babcock Ranch Preserve Act."

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

(a) "Babcock Ranch Preserve" and "preserve" mean the lands and facilities acquired in the purchase of the Babcock Crescent B Ranch, as provided in s. 259.1052.

(b) "Babcock Ranch, Inc.," and "corporation" mean the not-for-profit corporation created under this section to operate and manage the Babcock Ranch Preserve as a working ranch.

(c) "Board of directors" means the governing board of the not-for-profit corporation created under this section.

(d) "Commission" means the Fish and Wildlife Conservation Commission.

(e) "Commissioner" means the Commissioner of Agriculture.

(f) "Department" means the Department of Agriculture and Consumer Services.

(g) "Executive director" means the Executive Director of the Fish and Wildlife Conservation Commission.

(h) "Financially self-sustaining" means having management and operation expenditures not more than the revenues collected from fees and other receipts for resource use and development, and from interest and invested funds.

(i) "Management and operating expenditures" means expenses of the corporation, including, but not limited to, salaries and benefits of officers and staff, administrative and operating expenses, costs of improvements to and maintenance of lands and facilities of the Babcock Ranch Preserve, and other similar expenses. Such expenditures shall be made from revenues generated from the operation of the ranch and not from funds appropriated by the Legislature except as provided in this section.

(j) "Member" means a person appointed to the board of directors of the not-for-profit corporation created under this section.

(k) "Multiple use" means the management of all of the renewable surface resources of the Babcock Ranch Preserve to best meet the needs of the public, including the use of the land for some or all of the renewable surface resources or related services over areas large enough to allow for periodic adjustments in use to conform to the changing needs and conditions of the preserve while recognizing that a portion of the land will be used for some of the renewable surface resources available on that land. The goal of multiple use is the harmonious and coordinated management of the renewable surface resources without impairing the productivity of the land and considering the relative value of the renewable surface resources, and not necessarily a combination of uses to provide the greatest monetary return or the greatest unit output.

(l) "Sustained yield of the renewable surface resources" means the achievement and maintenance of a high level of annual or regular periodic output of the various renewable surface resources of the preserve without impairing the productivity of the land.

(3) CREATION OF BABCOCK RANCH PRESERVE.—

(a) Upon the date of acquisition of the Babcock Crescent B Ranch, there is created the Babcock Ranch Preserve, which shall be managed in accordance with the purposes and requirements of this section.

(b) The preserve is established to protect and preserve the environmental, agricultural, scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the preserve, and to provide for the multiple use and sustained yield of the renewable surface resources within the preserve consistent with this section.

(c) Babcock Ranch, Inc., and its officers and employees shall participate in the management of the Babcock Ranch Preserve in an advisory capacity only until the management agreement referenced in paragraph (11)(a) is terminated or expires.

(d) Nothing in this section shall preclude Babcock Ranch, Inc., prior to assuming management and operation of the preserve and thereafter, from allowing the use of common varieties of mineral materials such as sand, stone, and gravel for construction and maintenance of roads and facilities within the preserve.

(e) Nothing in this section shall be construed as affecting the constitutional responsibilities of the commission in the exercise of its regulatory and executive power with respect to wild animal life and freshwater aquatic life, including the regulation of hunting, fishing, and trapping within the preserve.

(f) Nothing in this section shall be construed to interfere with or prevent the ability of Babcock Ranch, Inc., to implement agricultural

practices authorized by the agricultural land use designations established in the local comprehensive plans of either Charlotte or Lee Counties as those plans apply to the Babcock Ranch Preserve.

(g) To clarify the responsibilities of the lead managing agencies and the not-for-profit corporation created under this section, the lead managing agencies are directed to establish a range of resource protection values for the Babcock Ranch Preserve, and the corporation shall establish operational parameters to conduct the business of the ranch within the range of values. The corporation shall establish a range of operational values for conducting the business of the ranch, and the lead managing agencies providing ground support to the ranch outside of each agency's jurisdictional responsibilities shall establish management parameters within that range of values.

(h) Nothing in this section shall preclude the maintenance and use of roads and trails or the relocation of roads in existence on the effective date of this section, or the construction, maintenance, and use of new trails, or any motorized access necessary for the administration of the land contained within the preserve, including motorized access necessary for emergencies involving the health or safety of persons within the preserve.

(i) The Division of State Lands of the Department of Environmental Protection shall perform staff duties and functions for Babcock Ranch, Inc., the not-for-profit corporation created under this section, until such time as the corporation organizes to elect officers, file articles of incorporation, and exercise its powers and duties.

(4) CREATION OF BABCOCK RANCH, INC.—

(a) Subject to filing articles of incorporation, there is created a not-for-profit corporation, to be known as Babcock Ranch, Inc., which shall be registered, incorporated, organized, and operated in compliance with the provisions of chapter 617, and which shall not be a unit or entity of state government. For purposes of sovereign immunity, the corporation shall be a corporation primarily acting as an instrumentality of the state but otherwise shall not be an agency within the meaning of s. 20.03(11) or a unit or entity of state government.

(b) The corporation is organized on a nonstock basis and shall operate in a manner consistent with its public purpose and in the best interest of the state.

(c) Meetings and records of the corporation, its directors, advisory committees, or similar groups created by the corporation, including any not-for-profit subsidiaries, are subject to the public records provisions of chapter 119 and the public meetings and records provisions of s. 286.011.

(5) APPLICABILITY OF SECTION.—In any conflict between a provision of this section and a provision of chapter 617, the provisions of this section shall prevail.

(6) PURPOSE.—The purpose of Babcock Ranch, Inc., is to provide management and administrative services for the preserve, to establish and implement management policies that will achieve the purposes and requirements of this section, to cooperate with state agencies to further the purposes of the preserve, and to establish the administrative and accounting procedures for the operation of the corporation.

(7) BOARD; MEMBERSHIP; REMOVAL; LIABILITY.—The corporation shall be governed by a nine-member board of directors who shall be appointed by the Board of Trustees of the Internal Improvement Trust Fund; the executive director of the commission; the Commissioner of Agriculture; the Babcock Florida Company, a corporation registered to do business in the state, or its successors or assigns; the Charlotte County Board of County Commissioners, and the Lee County Board of County Commissioners in the following manner:

(a)1. The Board of Trustees of the Internal Improvement Trust Fund shall appoint four members. One appointee shall have expertise in domesticated livestock management, production, and marketing, including range management and livestock business management. One appointee shall have expertise in the management of game and nongame wildlife and fish populations, including hunting, fishing, and other recreational activities. One appointee shall have expertise in the sustainable management of forest lands for commodity purposes. One appointee shall have expertise in financial management, budget and program analysis, and small business operations.

2. The executive director shall appoint one member with expertise in hunting; fishing; nongame species management; or wildlife habitat management, restoration, and conservation.

3. The commissioner shall appoint one member with expertise in agricultural operations or foresty management.

4. The Babcock Florida Company, or its successors or assigns, shall appoint one member with expertise in the activities and management of the Babcock Ranch on the date of acquisition of the ranch by the state as provided under s. 259.1052. This appointee shall serve on the board of directors only until the termination of or expiration of the management agreement attached as Exhibit "E" to that certain Agreement for Sale and Purchase approved by the Board of Trustees of the Internal Improvement Trust Fund on November 22, 2005, and by Lee County, a political subdivision of the state, on November 20, 2005. Upon termination of or expiration of the management agreement, the person serving as the head of the property owners' association, if any, required to be created under the agreement for sale and purchase shall serve as a member of the board of directors of Babcock Ranch, Inc.

5. The Charlotte County Board of County Commissioners shall appoint one member who shall be a resident of the county and who shall be active in an organization concerned with the activities of the ranch.

6. The Lee County Board of County Commissioners shall appoint one member who shall be a resident of the county and who shall have experience in land conservation and management. This appointee, or a successor appointee, shall serve as a member of the board of directors so long as the county participates in the state land management plan.

(b) All members of the board of directors shall be appointed no later 90 days following the initial acquisition of the Babcock Ranch by the state, and:

1. Four members initially appointed by the Board of Trustees of the Internal Improvement Trust Fund shall each serve a 4-year term.

2. The remaining initial five appointees shall each serve a 2-year term.

3. Each member appointed thereafter shall serve a 4-year term.

4. A vacancy shall be filled in the same manner in which the original appointment was made, and a member appointed to fill a vacancy shall serve for the remainder of that term.

5. No member may serve more than 8 years in consecutive terms.

(c) With the exception of the Babcock Florida Company appointee, no member may be an officer, director, or shareholder in any entity that contracts with or receives funds from the corporation or its subsidiaries.

(d) No member shall vote in an official capacity upon any measure that would inure to his or her special private gain or loss, that he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a principal by which he or she is retained, or that he or she knows would inure to the special private gain or loss of a relative or business associate of the member. Such member shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting and, no later than 15 days following the date the vote occurs, shall disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes of the meeting.

(e) Each member of the board of directors is accountable for the proper performance of the duties of office, and each member owes a fiduciary duty to the people of the state to ensure that funds provided in furtherance of this section are disbursed and used as prescribed by law and contract. Any official appointing a member may remove that member for malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, unexcused absence from three consecutive meetings of the board, arrest or indictment for a crime that is a felony or misdemeanor involving theft or a crime of dishonesty, or pleading nolo contendere to, or being found guilty of, any crime.

(f) Each member of the board of directors shall serve without compensation, but shall receive travel and per diem expenses as provided in s. 112.061 while in the performance of his or her duties.

(g) No appointee shall be an employee of any governmental entity.

(8) ORGANIZATION; MEETINGS.—

(a)1. The board of directors shall annually elect a chairperson and a vice chairperson from among the board's members. The members may, by a vote of five of the nine board members, remove a member from the position of chairperson or vice chairperson prior to the expiration of his or her term as chairperson or vice chairperson. His or her successor shall be elected to serve for the balance of the removed chairperson's or vice chairperson's term.

2. The chairperson shall ensure that records are kept of the proceedings of the board of directors, and is the custodian of all books, documents, and papers filed with the board, the minutes of meetings of the board, and the official seal of the corporation.

(b)1. The board of directors shall meet upon the call of the chairperson at least three times per year in Charlotte County or in Lee County.

2. A majority of the members of the board of directors constitutes a quorum. Except as otherwise provided in this section, the board of directors may take official action by a majority of the members present at any meeting at which a quorum is present. Members may not vote by proxy.

(9) POWERS AND DUTIES.—

(a) The board of directors shall adopt articles of incorporation and bylaws necessary to govern its activities. The adopted articles of incorporation and bylaws must be approved by the Board of Trustees of the Internal Improvement Trust Fund prior to filing with the Department of State.

(b) The board of directors shall review and approve any management plan developed pursuant to ss. 253.034 and 259.032 for the management of lands in the preserve prior to the submission of that plan to the Board of Trustees of the Internal Improvement Trust Fund for approval and implementation.

(c)1. Except for the constitutional powers of the commission as provided in s. 9, Art. IV of the State Constitution, the board of directors shall have all necessary and proper powers for the exercise of the authority vested in the corporation, including, but not limited to, the power to solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other public or private entities for the purposes of this section. All funds received by the corporation shall be deposited into the operating fund authorized under this section unless otherwise directed by the Legislature.

2. The board of directors may not increase the number of its members.

3. Except as necessary to manage and operate the preserve as a working ranch, the corporation may not purchase, take, receive, lease, take by gift, devise, or bequest, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with real property, or any interest therein, wherever situated.

4. The corporation may not sell, convey, mortgage, pledge, lease, exchange, transfer, or otherwise dispose of any real property.

5. The corporation may not purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of or otherwise use and deal in and with, shares and other interests in, or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partnerships, or individuals, or direct or indirect obligations of the United States, or any other government, state, territory, government district, municipality, or any instrumentality thereof.

6. The corporation may not lend money for its corporate purposes, invest and reinvest its funds, or take and hold real and personal property as security for the payment of funds lent or invested.

7. The corporation may not merge with other corporations or other business entities.

8. The corporation may not enter into any contract, lease, or other agreement related to the use of ground or surface waters located in, on, or through the preserve without the consent of the Board of Trustees of the Internal Improvement Trust Fund and permits that may be required by the Department of Environmental Protection or the appropriate water management district under chapters 373 and 403.

9. The corporation may not grant any easements in, on, or across the preserve. Any easements to be granted for the use of, access to, or ingress and egress across state property within the preserve must be executed by the Board of Trustees of the Internal Improvement Trust Fund as the owners of the state property within the preserve. Any easements to be granted for the use of, access to, or ingress and egress across property within the preserve titled in the name of a local government must be granted by the governing body of that local government.

10. The corporation may not enter into any contract, lease, or other agreement related to the use and occupancy of the property within the preserve for a period greater than 10 years.

(c) The members may, with the written approval of the commission and in consultation with the department, designate hunting, fishing, and trapping zones and may establish additional periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, and the protection and enhancement of nongame habitat and nongame species, as defined under s. 372.001.

(d) The corporation shall have the sole and exclusive right to use the words "Babcock Ranch, Inc.," and any seal, emblem, or other insignia adopted by the members. Without the express written authority of the corporation, no person may use the words "Babcock Ranch, Inc.," as the name under which that person conducts or purports to conduct business, for the purpose of trade or advertisement, or in any manner that may suggest any connection with the corporation.

(e) The corporation may from time to time appoint advisory committees to further any part of this section. The advisory committees shall be reflective of the expertise necessary for the particular function for which the committee is created, and may include public agencies, private entities, and not-for-profit conservation and agricultural representatives.

(f) State laws governing the procurement of commodities and services by state agencies, as provided in s. 287.057, shall apply to the corporation.

(g) The corporation and its subsidiaries must provide equal employment opportunities for all persons regardless of race, color, religion, gender, national origin, age, handicap, or marital status.

(10) OPERATING FUND, ANNUAL BUDGET, AUDIT, REPORTING REQUIREMENTS.—

(a) The board of directors may establish and manage an operating fund to address the corporation's unique cash-flow needs and to facilitate the management and operation of the preserve as a working ranch.

(b) The board of directors shall provide for an annual financial audit of the corporate accounts and records to be conducted by an independent certified public accountant in accordance with rules adopted by the Auditor General under s. 11.45(8). The audit report shall be submitted no later than 3 months following the end of the fiscal year to the Auditor General, the President of the Senate, the Speaker of the House of Representatives, and the appropriate substantive and fiscal committees of the Legislature. The Auditor General, the Office of Program Policy Analysis and Government Accountability, and the substantive or fiscal committees of the Legislature to which legislation affecting the Babcock Ranch Preserve may be referred shall have the authority to require and receive from the corporation or from the independent auditor any records relative to the operation of the corporation.

(c) Not later than January 15 of each year, Babcock Ranch, Inc., shall submit to the Board of Trustees of the Internal Improvement Trust Fund, the President of the Senate, the Speaker of the House of Representatives, the department, and the commission a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year, including information on the status of the ecological, cultural, and financial resources being managed by the corporation, and benefits provided by the preserve to local communities. The report shall also include a section describing the corporation's goals for the current year.

(d) The board of directors shall prepare an annual budget with the goal of achieving a financially self-sustaining operation within 15 full

fiscal years after the initial acquisition of the Babcock Ranch by the state. The department shall provide necessary assistance, including details as necessary, to the corporation for the timely formulation and submission of an annual legislative budget request for appropriations, if any, to support the administration, operation, and maintenance of the preserve. A request for appropriations shall be submitted to the department and shall be included in the department's annual legislative budget request. Requests for appropriations shall be submitted to the department in time to allow the department to meet the requirements of s. 216.023. The department may not deny a request or refuse to include in its annual legislative budget submission a request from the corporation for an appropriation.

(e) Notwithstanding any other provision of law, all moneys received from donations or from management of the preserve shall be retained by the corporation in the operating fund and shall be available, without further appropriation, for the administration, preservation, restoration, operation and maintenance, improvements, repairs, and related expenses incurred with respect to properties being managed by the corporation. Except as provided in this section, moneys received by the corporation for the management of the preserve shall not be subject to distribution by the state. Upon assuming management responsibilities for the preserve, the corporation shall optimize the generation of income based on existing marketing conditions to the extent that activities do not unreasonably diminish the long-term environmental, agricultural, scenic, and natural values of the preserve, or the multiple-use and sustained-yield capability of the land.

(f) All parties in contract with the corporation and all holders of leases from the corporation which are authorized to occupy, use, or develop properties under the management jurisdiction of the corporation must procure proper insurance as is reasonable or customary to insure against any loss in connection with the properties or with activities authorized in the leases or contracts.

(11) COMPREHENSIVE BUSINESS PLAN.—

(a) A comprehensive business plan for the management and operation of the preserve as a working ranch and amendments to the business plan may be developed only with input from the department and the commission, and may be implemented by Babcock Ranch, Inc., only upon expiration of the management agreement attached as Exhibit "E" to that certain agreement for sale and purchase approved by the Board of Trustees of the Internal Improvement Trust Fund on November 22, 2005, and by Lee County on November 20, 2005.

(b) Any final decision of Babcock Ranch, Inc., to adopt or amend the comprehensive business plan or to approve any activity related to the management of the renewable surface resources of the preserve shall be made in sessions that are open to the public. The board of directors shall establish procedures for providing adequate public information and opportunities for public comment on the proposed comprehensive business plan for the preserve or for amendments to the comprehensive business plan adopted by the members.

(c) Not less than 2 years prior to the corporation's assuming management and operation responsibilities for the preserve, the corporation, with input from the commission and the department, must begin developing the comprehensive business plan to carry out the purposes of this section. To the extent consistent with these purposes, the comprehensive business plan shall provide for:

1. The management and operation of the preserve as a working ranch;

2. The protection and preservation of the environmental, agricultural, scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the preserve;

3. The promotion of high-quality hunting experiences for the public, with emphasis on deer, turkey, and other game species;

4. Multiple use and sustained yield of renewable surface resources within the preserve;

5. Public use of and access to the preserve for recreation; and

6. The use of renewable resources and management alternatives that, to the extent practicable, benefit local communities and small businesses and enhance the coordination of management objectives with those on surrounding public or private lands. The use of renewable resources and management alternatives should provide cost savings to the corporation through the exchange of services, including, but not limited to, labor and maintenance of facilities, for resources or services provided to the corporation.

(d) On or before the date on which title to the portion of the Babcock Crescent B Ranch being purchased by the state as provided in s. 259.1052 is vested in the Board of Trustees of the Internal Improvement Trust Fund, Babcock Ranch Management, LLC, a limited liability company incorporated in this state, shall provide the commission and the department with the management plan and business plan in place for the operation of the ranch as of November 22, 2005, the date on which the board of trustees approved the purchase.

(12) MANAGEMENT OF PRESERVE; FEES.—

(a) The corporation shall assume all authority provided by this section to manage and operate the preserve as a working ranch upon a determination by the Board of Trustees of the Internal Improvement Trust Fund that the corporation is able to conduct business, and that provision has been made for essential services on the preserve, which, to the maximum extent practicable, shall be made no later than 60 days prior to the termination of the management agreement referenced in paragraph (11)(a).

(b) Upon assuming management and operation of the preserve, the corporation shall:

1. With input from the commission and the department, manage and operate the preserve and the uses thereof, including, but not limited to, the activities necessary to administer and operate the preserve as a working ranch; the activities necessary for the preservation and development of the land and renewable surface resources of the preserve; the activities necessary for interpretation of the history of the preserve on behalf of the public; the activities necessary for the management, public use, and occupancy of facilities and lands within the preserve; and the maintenance, rehabilitation, repair, and improvement of property within the preserve;

2. Develop programs and activities relating to the management of the preserve as a working ranch;

3. Negotiate directly with and enter into such agreements, leases, contracts, and other arrangements with any person, firm, association, organization, corporation, or governmental entity, including entities of federal, state, and local governments, as are necessary and appropriate to carry out the purposes and activities authorized by this section;

4. Establish procedures for entering into lease agreements and other agreements for the use and occupancy of the facilities of the preserve. The procedures shall ensure reasonable competition and set guidelines for determining reasonable fees, terms, and conditions for such agreements; and

5. Assess reasonable fees for admission to, use of, and occupancy of the preserve to offset costs of operating the preserve as a working ranch. These fees are independent of fees assessed by the commission for the privilege of hunting, fishing, or pursuing outdoor recreational activities within the preserve, and shall be deposited into the operating fund established by the board of directors under the authority provided under this section.

(13) MISCELLANEOUS PROVISIONS.—

(a) Except for the powers of the commissioner provided in this section, and the powers of the commission provided in s. 9, Art. IV of the State Constitution, the preserve shall be managed by Babcock Ranch, Inc.

(b) Officers and employees of Babcock Ranch, Inc., are private employees. At the request of the board of directors, the commission and the department may provide state employees for the purpose of implementing this section. Any state employees provided to assist the directors in implementing this section for more than 30 days shall be provided on a reimbursable basis. Reimbursement to the commission and the department shall be made from the corporation's operating fund provided under this section and not from any funds appropriated to the corporation by the Legislature.

(14) DISSOLUTION OF BABCOCK RANCH, INC.—

(a) The corporation may be dissolved only by an act of the Legislature.

(b) Upon dissolution of the corporation, the management responsibilities provided in this section shall revert to the commission and the department unless otherwise provided by the Legislature under the act dissolving Babcock Ranch, Inc.

(c) Upon dissolution of the corporation, any cash balances of funds shall revert to the General Revenue fund or such other state fund as may be provided under the act dissolving Babcock Ranch, Inc.

Section 10. *For the 2006-2007 fiscal year, the sum of $310 million in nonrecurring funds is appropriated from the Florida Forever Trust Fund in the Department of Environmental Protection for the purchase of the Babcock Crescent B Ranch as provided in s. 259.1052, Florida Statutes.*

Section 11. *For the 2006-2007 fiscal year, the sum of $50,000 is appropriated in nonrecurring funds from the Conservation and Recreation Lands Trust Fund in the Department of Environmental Protection for the operation and management of the Babcock Ranch Preserve, to be administered by Babcock Ranch, Inc., as provided under s. 259.1053, Florida Statutes.*

Section 12. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S.; providing that taxes distributed to pay debt service on Preservation 2000 bonds, Florida Forever bonds, and Save Our Everglades bonds shall, under specified circumstances, be collectively distributed on a pro rata basis; correcting a cross-reference; deleting obsolete provisions; amending s. 215.619, F.S.; providing that Everglades restoration bonds are on a parity basis with other land acquisition bonds; amending s. 259.032, F.S.; authorizing the use of funds in the Conservation and Recreation Lands Trust Fund for management, maintenance, and capital improvements for conservation and recreation lands, including lands acquired under the Babcock Crescent B Ranch Florida Forever acquisition; revising requirements for the development of an individual land management plan; amending s. 259.105, F.S.; establishing the Legislature's intent that the protection and buffering of military installations is of great importance; directing the Acquisition and Restoration Council to also give priority consideration to the acquistion of lands that protect and buffer military installations; amending s. 259.1051, F.S.; conforming the distribution of funds from the Florida Forever Trust Fund; creating s. 259.1052, F.S.; providing for the acquisition of the state's portion of the Babcock Crescent B Ranch; providing a definition; granting authority to the Department of Environmental Protection to distribute funds for the acquisition of the Babcock Crescent B Ranch; creating s. 259.10521, F.S.; authorizing the creation of a citizen support organization; providing duties and responsibilities; creating s. 259.1053, F.S.; creating the Babcock Ranch Preserve Act; providing a short title; providing definitions; requiring the Division of State Lands of the Department of Environmental Protection to perform certain staff duties and functions for Babcock Ranch, Inc.; creating Babcock Ranch, Inc., a not-for-profit corporation to be incorporated in the state; providing that the corporation shall act as an instrumentality of the state for purposes of sovereign immunity under s. 768.28, F.S.; providing that the corporation shall not be an agency under s. 20.03, F.S.; providing that the corporation is subject to the provisions of chs. 119 and 286, F.S., requiring public records and meetings; providing for the corporation to be governed by the Babcock Board of Directors; providing for the appointment of board members and terms of office; prohibiting any board member from voting on any measure that constitutes a conflict of interest; providing for the board members to serve without compensation, but to receive per diem and travel expenses; authorizing state agencies to provide state employees for purposes of implementing the Babcock Ranch Preserve; providing certain powers and duties of the corporation; providing limitations on the powers and duties of the corporation; providing that the corporation and its subsidiaries must provide equal employment opportunities; providing for the corporation to establish and manage an operating fund; requiring an annual financial audit of the accounts and records of the corporation; requiring annual reports by the corporation to the Board of Trustees of the Internal Improvement Trust Fund, the Legislature, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission; requiring that the corporation prepare an annual budget; specifying a goal of self-sustaining operation within a certain period; providing for the corporation to retain donations and other moneys; requiring that the corporation adopt articles of incorporation and bylaws subject to the approval of the Board of Trustees of the Internal Improvement Trust Fund; authorizing the corporation to appoint advisory committees; providing requirements for a comprehensive business plan; specifying the procedures by which the corporation shall assume the management and operation of the Babcock Ranch Preserve; prohibiting the corporation from taking certain actions without the consent of the Board of Trustees of the Internal Improvement Trust Fund; requiring that the corporation be subject to certain state laws and rules governing the procurement of commodities and services; authorizing the corporation to assess fees; providing for management of the Babcock Ranch Preserve until expiration of a current management agreement; providing for reversion of the management and operation responsibilities to certain agencies upon the dissolution of the corporation; providing that the corporation may be dissolved only by an act of the Legislature; providing for reversion of funds upon the dissolution of the corporation; providing appropriations; providing effective dates.

WHEREAS, the Babcock Ranch comprises the largest private undeveloped single-ownership tract of land in Charlotte County and contains historical evidence in the form of old logging camps and other artifacts that indicate the importance of this land for domesticated livestock production, timber supply, and other bona fide agricultural uses, and

WHEREAS, the careful husbandry of the Babcock Ranch, including selective timbering, limited grazing and hunting, and the use of prescribed burning, has preserved a mix of healthy range and timberland with significant species diversity and provides a model for sustainable land development and use, and

WHEREAS, the Babcock Ranch must be protected for current and future generations by continued operation as a working ranch under a unique management regime that protects the land and resource values of the property and the surrounding ecosystem while allowing and providing for the ranch to become financially self-sustaining, and

WHEREAS, it is in the public's best interest that the management regime for the Babcock Ranch include the development of an operational program for appropriate preservation and development of the ranch's land and resources, and

WHEREAS, the public's interest will be served by the creation of a not-for-profit corporation to develop and implement environmentally sensitive, cost-effective, and creative methods to manage and operate a working ranch, NOW, THEREFORE,

On motion by Senator Dockery, by two-thirds vote **HB 1347** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Campbell	Jones	Smith
Carlton	King	Villalobos
Clary	Klein	Webster
Constantine	Lawson	Wilson
Crist	Lynn	Wise
Dawson	Margolis	

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5001, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, same being:

An act making appropriations; providing monies for the annual period beginning July 1, 2006 and ending June 20, 2007, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of various agencies and State government; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
s/Donald D. "Don" Brown
s/Dean Cannon
s/Marti Coley
s/Don Davis
s/Frank Farkas
s/Bill Galvano
s/Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
s/David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
s/Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
s/Kenneth W. "Ken" Littlefield
s/Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
s/John P. Jack "Jack" Seiler
s/Eleanor Sobel
s/John K. Stargel
s/Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

A bill to be entitled

An act making appropriations; providing monies for the annual period beginning July 1, 2006, and ending June 30, 2007, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

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

The monies contained herein are appropriated from the named funds for the 2006-2007 fiscal year to the State agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Florida Statutes.

Approved performance measures and standards for the 2006-2007 fiscal year are incorporated by reference in the act implementing the 2006-2007 General Appropriations Act. Such performance measures and standards are directly linked to the appropriations made herein, as required by the Government Performance and Accountability Act of 1994. State agencies are expected to revise their long-range program plans required under section 216.013, Florida Statutes, to be consistent with these performance measures and standards.

The expenditure for salaries made from appropriations provided in this act for Fiscal Year 2006-2007 by the judicial branch and each department or agency of the executive branch shall be limited by the sum of the approved salary rates specified for the budget entities in the respective branch, department or agency.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The monies contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in Sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts and allocation conference documents. Of the funds provided in Specific Appropriations 5, 6, 70, 70A, 75, 80 through 86, and 169 for student financial assistance, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

SECTION 1
SPECIFIC
APPROPRIATION
PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1 FIXED CAPITAL OUTLAY
CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL
OUTLAY BOND PROGRAMS - OPERATING FUNDS AND
DEBT SERVICE
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 167,885,407

The funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond Programs established in chapter 97-384, Laws of Florida.

2 FIXED CAPITAL OUTLAY
DEBT SERVICE - CLASS SIZE REDUCTION
LOTTERY CAPITAL OUTLAY PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 100,310,506

From the funds provided in Specific Appropriation 2, $55 million is provided for the debt service requirements associated with the bond proceeds from Lottery Capital Outlay and Debt Services Trust Fund included in Specific Appropriation 38A, Public School Class-size Reduction Construction.

3 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - COMMUNITY COLLEGES
FACILITIES MATCHING PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 35,008,007

Funds provided in Specific Appropriation 3 shall be allocated to the Board of Trustees of the named community college as matching funds for the Community College Facilities Matching Grant Program as follows:

BROWARD COMMUNITY COLLEGE
Rem/Ren Teaching Auditorium/Performing Arts Theater-South. 25,000
Rem/Ren Buehler Planetarium - Central..... 415,450
DAYTONA BEACH COMMUNITY COLLEGE
Corporate and Cultural Training Center -
Southwest Volusia..... 5,900,440
Campus Renewal and Hospitality Classrooms - Main..... 551,159
Equipment Enhancement - Advance
Technology Ctr..... 33,500
FLORIDA KEYS COMMUNITY COLLEGE
Tennessee Williams Theatre Renovations/
Lobby Expansion..... 261,717
GULF COAST COMMUNITY COLLEGE
Health and Science Labs - Main..... 45,000
INDIAN RIVER COMMUNITY COLLEGE
Public Services/Homeland Security Training Bldg -
Fort Pierce..... 2,335,000
Human Development Resource Center - Fort Pierce..... 2,550,000
Student Educational Services Center
Bldg 22 - Fort Pierce Remodeling & Equipment..... 500,000
Technology Clsrm/Labs Bldg-Mueller
Campus/Vero Beach..... 250,000
Classroom/Lab Building - Okeechobee..... 2,650,000
Additional Funding for Library - Mueller
Campus/Vero Beach..... 100,000
LAKE-SUMTER COMMUNITY COLLEGE
Construct Shared Library w/County and UCF - South Lake
Center..... 5,000,000
Sports Educational Complex - South Lake..... 1,000,000
MIAMI DADE COMMUNITY COLLEGE
Land and Facilities Acquisition - Collegewide..... 4,500,000
Prototype Classroom Facility - Collegewide..... 5,000,000
OKALOOSA-WALTON COMMUNITY COLLEGE
Community Services Complex - Niceville..... 250,000
PALM BEACH COMMUNITY COLLEGE
Additional Funding for Humanities Technology Bldg - South. 333,333
Myrna Rubenstein Educational Pavilion - Palm Beach Gardens 70,000
PASCO-HERNANDO COMMUNITY COLLEGE
Wesley Chapel Center..... 75,000
ST. PETERSBURG COLLEGE
Rem/Ren/Const Orthotics & Prosthetics Bldg - Health
Education Center..... 64,452

SECTION 1
SPECIFIC
APPROPRIATION
Rem/Ren Classrooms/Labs - Phase II - Downtown Center..... 1,200,070
Construct Classrooms, Academic & Support Space -
Clearwater..... 575,898
Rem/Ren Clsrms/Labs Olympia Annex - Tarpon Springs..... 71,155
Adjacent Land and Facilities Acquisition - Collegewide.... 360,000
SEMINOLE COMMUNITY COLLEGE
Automotive Training Facility - Main (Sanford/Lake Mary)... 341,500
Classrooms/Labs/Student & Support Services - Altamonte.... 549,333

4 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM FACILITY
ENHANCEMENT CHALLENGE GRANTS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 55,971,620

Funds provided in Specific Appropriation 4 shall be allocated to the Board of Trustees of the named university as matching funds for the Courtelis Facilities Matching Grant Program as follows:

UNIVERSITY OF FLORIDA
Veterinarian Medicine Scan Facility (P,C,E)..... 400,000
Pugh Hall (Graham Center) (P,C,E)..... 6,500,000
Proton Beam Phase IV (P,C,E)..... 657,722
Termite Training Facility, Apopka (P,C,E)..... 150,000
Center for Performing Arts (P,C,E)..... 750,000
Construction Yard Rinker Hall Phase II (P,C,E)..... 300,000
Law School Trial Center (P,C,E)..... 2,060,000
Fl. Mus. of Nat. Hist. Exhibit (P,C,E)..... 120,000
Multi-Purpose Facility Phase II (P,C,E)..... 50,034
Band Rehearsal Hall (C,E)..... 699,270
FLORIDA STATE UNIVERSITY
Panama City Academic Center (E)..... 1,102,500
Asolo Conservatory (E)..... 100,000
Human Performance Laboratory (P,C,E)..... 1,000,000
School of Hospitality (P,C,E)..... 1,000,000
UNIVERSITY OF SOUTH FLORIDA
Medical Office Building (P,C,E)..... 8,600,000
Center for Advanced Health Care (P,C,E)..... 1,535,530
Sarasota/Manatee Academic Facility (C,E)..... 1,422,177
Globalization Research Center (P,C,E)..... 5,000,000
FLORIDA ATLANTIC UNIVERSITY
Executive Development Center (P,C,E)..... 2,000,000
Alumni Center (P,C,E)..... 1,000,000
UNIVERSITY OF CENTRAL FLORIDA
Psychology Building (E)..... 53,300
College of Optics and Photonics (P,C,E)..... 68,970
Engineering III Enhancement (P,C)..... 674,463
Biomedical Sciences Center (P,C,E)..... 6,423,500
Alumni Center (E)..... 20,677
Reading Center (P,C,E)..... 500,000
Siemens Energy Center (P,C,E)..... 185,000
FLORIDA INTERNATIONAL UNIVERSITY
Frost Art Museum (C,E)..... 1,271,157
College of Law (C,E)..... 260,054
Graduate School of Business Phase I (C,E)..... 2,013,998
UNIVERSITY OF NORTH FLORIDA
Science and Engineering Building (E)..... 95,268
Fine Arts Bldg. (E)..... 58,000
Multipurpose Classroom 46 (P,C,E)..... 2,250,000
Coggin College of Business (P,C)..... 150,000
FLORIDA GULF COAST UNIVERSITY
School of Engineering (P,C,E)..... 2,500,000
College of Business (P,C,E)..... 5,000,000

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 359,175,540

TOTAL ALL FUNDS 359,175,540

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

5 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES

SECTION 1
SPECIFIC
APPROPRIATION
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 346,342,906

6 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 21,447,094

The funds in Specific Appropriations 6 and 84 are for the Florida Student Assistance Grant (FSAG) public full-time and part-time student grant program.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 367,790,000

TOTAL ALL FUNDS 367,790,000

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 75,718,007

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to grade 3 shall be $759.59, for grades 4 to 8 shall be $725.20, and for grades 9 to 12 shall be $727.17. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 7 and 92 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 255,181,993

Funds provided in Specific Appropriation 8 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner in the amount of $100 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2006, at least $10 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

The funds provided in Specific Appropriation 92A for the purposes of (a) shall be expended prior to the expenditure of funds provided in this appropriation.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 330,900,000

SECTION 1
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS 330,900,000

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

16 AID TO LOCAL GOVERNMENTS
CRITICAL JOBS INITIATIVE
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 20,000,000

Funds provided in Specific Appropriations 16 and 162A shall be allocated to the SUCCEED, Florida - Crucial Professionals initiative as follows:

Nursing and Allied Health programs	8,850,000
Teaching programs	8,850,000
Manufacturing and Automotive Technology programs	2,250,000
Recipients of 2005-2006 SUCCEED, Fla.- Crucial Professionals and Jobs for Florida's Future funds	8,800,000
DOE Grants Management	100,000

The funds for Nursing and Allied Health programs are provided to increase the capacity of undergraduate programs at public and private postsecondary educational institutions to produce more nurses and allied health professionals to enter the workforce in Florida. The funds for Teaching programs are provided to increase the capacity of teacher certification programs at public and private postsecondary educational institutions to produce more teachers to enter the workforce in Florida. The funds for Manufacturing and Automotive Technology programs are provided to increase the capacity of programs at public and private postsecondary educational institutions to produce more students to enter the manufacturing and automotive technology workforce in Florida. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the programs and advise all approved applicants accordingly.

Funds must be used to support new students and not to supplant current funding or students. Institutions applying for funds shall not reduce funding or the current level of enrollment in existing programs. Any such reduction will result in a pro rata reduction in funding. Programs receiving grants must submit periodic reports to the Department of Education documenting compliance with the performance measures established by the department.

The State Board of Education must review proposals; determine funding to be provided; and monitor compliance with accountability requirements. The State Board of Education shall coordinate its review of proposals with representatives of the Board of Governors and the Independent Colleges and Universities of Florida.

Funds allocated to prior recipients of the SUCCEED, Florida - Crucial Professionals and Jobs for Florida's Future funds in the 2005-2006 fiscal year shall be distributed based on each recipient's proportion of the 2005-2006 funds.

The Commissioner of Education may request a budget amendment to realign funds provided for the SUCCEED, Florida - Crucial Professional programs in Specific Appropriations 16 and 162A to reflect the results of the competitive awards authorized under the programs.

17 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 120,000,000

Funds provided in Specific Appropriation 17 shall be allocated as follows:

Brevard Community College	4,612,870
Broward Community College	8,395,767
Central Florida Community College	2,115,026
Chipola College	1,100,347
Daytona Beach Community College	5,497,734

SECTION 1
SPECIFIC
APPROPRIATION

Edison College	2,742,322
Florida Community College at Jacksonville	9,200,485
Florida Keys Community College	953,728
Gulf Coast Community College	2,078,703
Hillsborough Community College	6,081,208
Indian River Community College	5,355,510
Lake City Community College	1,426,832
Lake-Sumter Community College	1,110,937
Manatee Community College	2,418,554
Miami-Dade College	19,239,816
North Florida Community College	829,145
Okaloosa-Walton College	2,001,206
Palm Beach Community College	5,840,520
Pasco-Hernando Community College	2,033,223
Pensacola Junior College	3,942,092
Polk Community College	1,953,066
St. Johns River Community College	3,156,040
St. Petersburg Community College	6,690,942
Santa Fe Community College	4,059,205
Seminole Community College	3,929,574
South Florida Community College	1,683,400
Tallahassee Community College	3,293,913
Valencia Community College	7,212,835

Funds provided in Specific Appropriation 17 include $1,045,000 for 2+2 Partnership Baccalaureate Incentives.

Funds in Specific Appropriation 17, 20, and 76A for 2+2 Partnership Baccalaureate Incentives shall be awarded to eligible community colleges, private colleges and universities, and state universities based on the eligible full-time equivalent enrollment in each 2+2 partnership baccalaureate program during the 2006-07 academic year. The participating community college and the participating partner institution shall receive equal proportions of the per student incentive award. Programs with partnership articulation agreements to provide 2+2 baccalaureate degree programs at a community college during the 2006-07 academic year are eligible for incentive funding. Community colleges shall submit applications requesting funds for eligible programs and the program's participating partner by April 15, 2007. Community colleges with site-determined baccalaureate degree programs are not eligible to participate.

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM TRUST FUNDS 140,000,000

TOTAL ALL FUNDS 140,000,000

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 20 through 25 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

20 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 157,843,843

Funds in Specific Appropriation 20 shall be allocated as follows:

University of Florida	26,812,175
Florida State University	22,841,168
Florida A&M University	8,839,567
University of South Florida	22,926,629
University of South Florida, St. Petersburg	644,987
University of South Florida, Sarasota/Manatee	282,676
Florida Atlantic University	12,768,252
University of West Florida	4,713,967
University of Central Florida	24,468,045
Florida International University	19,679,390
University of North Florida	8,175,568
Florida Gulf Coast University	4,397,763
New College of Florida	293,656

SECTION 1
SPECIFIC
APPROPRIATION

Funds provided in Specific Appropriation 20 include $1,000,000 for 2+2 Partnership Baccalaureate Incentives. These funds are allocated in Specific Appropriation 17.

21 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 9,320,592

22 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 2,698,719

23 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,165,799

24 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 3,132

25 SPECIAL CATEGORIES
CHALLENGE GRANTS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 64,167,915

Funds provided in Specific Appropriation 25 shall be allocated as follows:

University of Florida	34,348,646
Florida State University	15,272,063
Florida A&M University	478,648
University of South Florida	3,418,738
Florida Atlantic University	1,998,037
University of West Florida	100,525
University of Central Florida	4,326,371
Florida International University	2,617,091
University of North Florida	1,107,796
New College of Florida	125,000
Florida Gulf Coast University	150,000
Board of Governors - Johnson Scholarship	225,000

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 241,200,000

TOTAL ALL FUNDS 241,200,000

TOTAL OF SECTION 1

FROM TRUST FUNDS 1439,065,540

TOTAL ALL FUNDS 1439,065,540

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The monies contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 27 through 38A shall constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the monies in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

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The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2006-2007 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 27 through 38.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, community colleges, public broadcasting, and the Division of Blind Services.

27 FIXED CAPITAL OUTLAY
VOCATIONAL-TECHNICAL FACILITIES
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 946,878

Funds in Specific Appropriation 27 are for the Manatee County Technical Institute.

28 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIR, RENOVATION, AND
REMODELING
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 302,000,000

Funds in Specific Appropriation 28 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Public Schools..... 186,644,504
Community Colleges..... 25,967,260
State University System..... 36,304,289
Charter Schools..... 53,083,947

Funds provided in Specific Appropriation 28 for Charter Schools shall be distributed pursuant to section 1013.62, Florida Statutes.

29 FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 246,082,167

From the funds in Specific Appropriation 29, $3,676,872 shall be distributed to developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be allocated to school districts and developmental research schools in accordance with section 1013.64(3), Florida Statutes.

30 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM GENERAL REVENUE FUND 25,000,000
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 334,589,136

Funds provided in Specific Appropriation 30 shall be allocated as follows:

BREVARD COMMUNITY COLLEGE
Gen ren/rem, Fac's 4 Cocoa & 5-6 Melbourne, site imp..... 5,129,793

SECTION 2
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Rem/ren Tech Bldg Fac 17-Cocoa..... 570,000
Rem/ren Clsrms/Labs Fac 7 - Melbourne part..... 420,000
BROWARD COMMUNITY COLLEGE
Gen ren/rem, HVAC, Fire Alarm Sys, ADA, Roofs,
Bldgs 8,60,62,site imp..... 5,999,043
Rem/ren Clsrms/Labs in Bldgs 50 & 51-North..... 3,925,030
Rem/ren Library Bldg 72 to Clsrms/Labs-South part..... 3,567,722
Rem/ren Public Safety Bldg 22 & Bldg 6 w/addition - Central
part..... 1,132,083
Rem/ren Public Safety Bldg 22 w/addition - Phase II..... 2,500,000
CENTRAL FLORIDA COMMUNITY COLLEGE
Gen ren/rem,HVAC,mech/elec,ADA,roofs,EMS,Bldg 4,site imp.... 1,660,139
Rem/ren Bldg 5 & 9-Main..... 2,562,000
Rem/ren Bldg 1 Admin HVAC, roof, interior refurbishment -
main part..... 380,000
Rem/ren Labs/Exhib Space HVAC replacement-Appleton part..... 2,604,277
CHIPOLA COLLEGE
Gen ren/rem,telecom sys,util,Bldgs 300&1300,site imp..... 1,228,749
Replacement/Performing Arts Bldg 600 for life safety and
structural problems-Main part (spc)..... 3,500,000
DAYTONA BEACH COMMUNITY COLLEGE
Gen ren/rem, utilities with campus renewal, Bldgs 220 & 300
site imp..... 2,501,764
Major Ren/Rem, Failing Underground Utilities w/campus
renewal comp..... 1,724,250
Rem/ren Bldgs 500(12),& 300 w/campus renewal DB..... 1,500,000
Hospitality Mgt Bldg w/local match-Main part (ce)..... 5,404,208
EDISON COLLEGE
Gen ren/rem, energy mgt,Bldgs sys renewal,util,site imp..... 2,150,561
Rem/ren Clsrms/Labs Bldgs & LRC (5)-Lee & Collier part..... 4,550,000
FLORIDA COMMUNITY COLLEGE AT JACKSONVILLE
Clsrms/Labs/Commerce Education Ctr-Cecil comp (ce)..... 1,650,000
Gen ren/rem, ADA,HVAC,lights,utilities,roofs,roads,site imp. 6,307,034
Rem/ren Bldgs A w/addition, Mainstreet & URC-Downtown part.. 4,076,245
Rem/ren New space-Deerwood part..... 2,248,940
Rem/ren Clsrms/Labs Bldgs N,P,Q,R,U & W1-South part..... 935,750
Rem/ren Clsrms/Labs-Ace Bldg - Cecil part..... 500,000
FLORIDA KEYS COMMUNITY COLLEGE
Gen ren/rem, chiller Bldg,EMS,telecom,HVAC,Lab,site imp..... 458,553
Replace Jt-Use Ctr Bldg w/loc sch Mtch-Marathon (pce)comp... 2,058,731
GULF COAST COMMUNITY COLLEGE
Gen ren/rem, HVAC,util,security sys,roofs,roads,siteimp..... 2,620,788
Major Ren/Rem Health Sci Bldg w/addition comp..... 3,895,000
Major Ren/Rem Lead Clean-up/ Firing Range, Driving Range
Repaving-N Bay comp..... 1,457,000
Rem/ren Technology Bldg w/Tech Lab additions-Main part..... 3,754,369
Public Safety/Emergency Operation Ctr w/match(Fed &
State)-North Bay part (spc)..... 3,856,594
Corporate Training Ctr w/local match - Main part (spc)..... 1,450,000
Land & facilities acquisition - Collegewide - part (spc).... 500,000
HILLSBOROUGH COMMUNITY COLLEGE
Clsrms/Lab/Stu Services(Svcs) Bldgs-Southshore comp (spce).. 3,074,998
Gen ren/rem, HVAC,ADA,utilities,comm&sec sys,roads,site imp. 1,913,020
Rem/ren Admin, Crim Jus,Arts Bldgs-Ybor City part..... 5,765,925
Rem/ren Admin/Science/Stu Svcs Bldgs-Plant City..... 3,198,464
Land & facilities acquisition-Collegewide part (spc)..... 1,500,000
Student Services Buildings - Ybor City part (spc)..... 2,185,401
INDIAN RIVER COMMUNITY COLLEGE
Public Services Bldg-Main part (ce)..... 20,060,002
Gen ren/rem, roofs,HVAC,utilities,comm sys,alarms,site imp.. 2,084,566
Rem/ren Clsrms/Labs Bldgs 1,3,5,6,10,12,18,20,22- Main part. 2,470,614
Land & facilities acquisition - Collegewide part (spc)..... 600,000
LAKE CITY COMMUNITY COLLEGE
Gen ren/rem, HVAC,roofs,fire&sec sys,utilities,site imp..... 1,166,315
Major Ren/Rem, Failing HVAC,Underground Utilities comp..... 2,649,303
Rem/ren old Voc Bldgs 16-18 & 21 to Clsrms-Main part..... 1,437,706
LAKE-SUMTER COMMUNITY COLLEGE
Gen ren/rem, ADA,HVAC,comm sys,chiller,roads,roofs,site imp. 2,233,016
Rem/ren Math-Sci Bldg 5 & Corporate Training Bldg M-Main.... 2,208,536
MANATEE COMMUNITY COLLEGE
Gen ren/rem, utilities,water sys,HVAC,roofs,soffits,
ADA,site imp..... 2,266,515
Rem/ren Clsrms/Labs Graph&Tech/Arts/Music Ed Bldgs-Main part
w/addition - Main Part..... 2,965,086

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MIAMI DADE COLLEGE
Env Sci/CJ Sci Lab FacBldg Ph II w/chiller,cooling tower & new utilities lines-N comp..... 7,039,267
Gen ren/rem-Collegewide..... 12,508,904
Major Ren/Rem, Fac's 15 & 40 Restart Swim Complex h1th/safety issues & and Law Enf Tr comp..... 2,500,000
Major Ren/Rem, Life-Safety Handrails replace Collegewide & Fire Marshal Corrections comp..... 2,000,000
Rem/ren Clsrms/Labs/Multimedia/Sup Svcs w/addition-Wolfson.. 5,413,959
Rem/ren New space/Clsrms/Labs/Sup Svcs-West part..... 4,500,000
Rem/ren Freedom Tower to Clsrm/Labs/Sup Svcs - Wolfson par.. 2,000,000
Prototype Clsrm w/local Match-Collegewide part (ce)..... 8,000,000
Adjacent land & facilities acq-Collegewide part (spc)..... 1,500,000
NORTH FLORIDA COMMUNITY COLLEGE
Sci Labs Replacement/Env condition w/infrastr comp (ce)..... 2,645,943
Gen ren/rem, HVAC,utilities,comm sys,roofing,ADA,site imp... 532,184
Rem/ren old Sci Bldg & Annex to Dev Ed/Math & Inst Tech..... 2,946,893
Land & facilities acq w/demol, driving & firing ranges(spc). 2,160,555
OKALOOSA-WALTON COLLEGE
Gen ren/rem,util,fire alrmsys,parking,safety,elec,site imp.. 3,735,767
Rem/ren Science Bldg 40 w/IAQ repair-Main..... 2,806,854
Comm. Life, EOC, Safety-Military Sci Bldg w/local match part Main (spc)..... 975,707
PALM BEACH COMMUNITY COLLEGE
Clsrms/Labs Humanities(Hum) Bldg-South comp (ce)..... 2,327,980
Sci Bldg Ph II,Scripps Sup Facility-Palm Bch Gardens (ce)... 6,303,613
Gen ren/rem,EMS,roofs,park,util,sfty,alarms,HVAC,lights,rds. 4,368,453
Sci. Bldg Prototype plan reuse w/local match - Central/Lake Worth part (pce)..... 3,900,000
Public Safety Training Center w/local match - NW Special Purpose Center part (spc)..... 2,429,874
PASCO-HERNANDO COMMUNITY COLLEGE
Clsrms/Labs/University Center w/Library addition comp (ce).. 1,800,000
Clsrms/Labs/Sup Svcs-Spring Hill part (sc)..... 3,702,994
Gen ren/rem,Bldg2E & FAC Bldg addition - E, repl roofs,util, safety alarms, HVAC, rds, ADA site imp..... 754,092
Rem/ren Gymnasium to Classrooms w/Fac Bldg addition-North... 3,538,884
PENSACOLA JUNIOR COLLEGE
Gen ren/rem, Bldgs 8 & LRC,HVAC,roofs,lights,site imp..... 3,678,652
Rem/ren Library w/addition-Main part..... 4,618,643
POLK COMMUNITY COLLEGE
Gen ren/rem, roofs,comm sys,ADA,chiller,HVAC,EMS..... 1,858,019
Rem/ren old Jt-Use Science Labs to Voc Labs-Lakeland part... 5,002,627
Jt-Use Tech Resource Ctr. w/USF-Lakeland comp (ce)..... 3,187,600
Land & facilities acquisition - Collegewide part (spc)..... 750,000
Lake Wales Center..... 3,628,453
ST. JOHNS RIVER COMMUNITY COLLEGE
Gen ren/rem, HVAC,roofs,ADA,fire&sec sys,utilities, site imp 1,282,720
Rem/ren Tech Bldg Clsrms w/Arts Bldg Sup addition-Main..... 101,000
Rem/ren Sci/Tech & Nursing /Health Bldgs - Palatka part..... 521,108
JOINT-USE FACILITIES
Clsrms/Hlth/Sci Prototype Bldg-Lake-Sumter, Palm Beach(Scripps), St.Johns River & S Fla (ce)..... 8,375,000
ST. PETERSBURG COLLEGE
Gen ren/rem, roofs,HVAC,ADA,firing range,site imp..... 5,030,053
Rem/ren Library to Stu Svcs w/addition-SP/G part..... 1,295,119
Rem/ren Clsrms/Labs/Inst. Supp/Site Dev Ph II -Downtown part 3,651,616
Rem/ren Social Sci Bldg & Arts Bldg 42 to Vet Tech Clearwater part..... 1,008,744
Rem/ren Clsrms/Labs Olympia Annex w/match-Tarpon part..... 2,589,016
Library Clsrms w/match-Seminole comp (pce)..... 1,470,000
Clsrms/Labs Orthotics & Prosthetics Bldg w/match-Health Education Center part (spce)..... 3,011,446
Adj land & facilities acq-Collegewide part (spc)..... 2,603,727
SANTA FE COMMUNITY COLLEGE
WF/Nursing/Health Science Bldg-Main comp (ce)..... 1,422,043
Gen ren/rem, Bldgs B & 2014 drain, panels, HVAC, utilities & comm sys,elev,roofs..... 2,466,816
Rem/ren Clsrms/Labs Bldg W - Main..... 302,148
SEMINOLE COMMUNITY COLLEGE
WF/Clsrms,Tech Labs Bldg w/land-I-4 Heathrow Special Purpose Ctr comp (ce)..... 5,259,322
Clsrms/Labs/Stu Svcs w/land Ph I-Altamonte Ctr. comp (ce)... 8,163,732
Gen ren/rem, utilities,drive pad,comm sys,HVAC,roofs

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ADA,site imp..... 2,068,533
Safety/Life Fire Sci Burn Bldg replacement-Main comp (pce).. 562,000
Rem/ren Bldg K Voc Labs to Teaching Labs-Main part..... 3,110,460
Rem/ren Voc Ed Bldg I & Fac Offices E-Main part..... 1,394,338
Jt-Use Clsrms/Labs/Stu Svcs w/UCF-Sanford part (spc)..... 11,775,131
SOUTH FLORIDA COMMUNITY COLLEGE
Gen ren/rem, utilities,roofs,safety&ADA,restrooms,site imp.. 1,007,425
Rem/ren Admin,Nursing & Sci Bldgs w/addition-Main part..... 1,568,394
Rem/ren Clsrms/Labs/Sup Svcs & add elevator-Lake Placid part 650,000
TALLAHASSEE COMMUNITY COLLEGE
Gen ren/rem, roof,infrastructure,utilities,commsys, HVAC,ADA ,site imp..... 2,031,087
Rem/ren Law Enforcement Admin Bldg - CJ Academy..... 250,000
Rem/ren legislative research space to Clsrms/Labs/Sup Svcs.. 250,000
Land & facilities acquisition - Collegewide part..... 500,000
Allied Health Education Ctr.- Main part (spc)..... 2,000,000
VALENCIA COMMUNITY COLLEGE
Allied Health Bldg 10-West part (ce)..... 8,474,843
Gen ren/rem, elev, parking, util,HVAC, telecom sys, site imp 3,620,923
Rem/ren Clsrms/Labs Bldgs 1, 3 & 4 - West part..... 848,385
Culinary Arts Labs addition w/local match-West comp (pce)... 4,000,000
Land acquisition-Southwest Campus part (spc)..... 5,500,000
Land acquisition - Southeast Campus part (spc)..... 1,000,000
Jt-Use Clsrms/Labs/Stu Svcs w/UCF - West part (spc)..... 750,000

31 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 445,035,323

Funds provided in Specific Appropriation 31 shall be allocated as follows:

FAMU University Commons Renovation (C)..... 9,364,200
FAMU Campus Elec Upgrades, Technology, Infrastr (P,C,E)..... 3,851,140
FAMU Developmental Research School (C,E)..... 2,500,000
FAMU Multi-Purpose Center Teaching Gymnasium (C,E)..... 2,850,000
FAMU Jones Hall Remodeling (P,C,E)..... 12,623,450
FAU Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).. 3,642,356
FAU FAU/Scripps Joint Use Facility-Jupiter (P,C,E)..... 2,000,000
FAU Expansion/Remodel Computer Center #22 (C,E)..... 2,000,100
FAU Port St Lucie -Partner Campus Phase II (P,C,E)..... 10,009,000
FAU FAU/UF Davie Facility (P,C)..... 1,300,000
FAU FAU-UF Joint Use Facility Davie Campus (P,C,E)..... 8,000,000
FAU General Classroom/Engineering Building (P,C)..... 3,000,000
FGCU Roads/Parking/Infrastructure/Mitigation (P,C,E)..... 5,000,000
FGCU Classrooms/Offices/Labs Academic 6 (C)..... 7,116,685
FGCU Fine Arts Phase 2 Auditorium (P,C,E)..... 12,762,582
FGCU Classrooms/Offices/Labs Academic 7 (P,C)..... 16,925,996
FIU Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).. 7,000,000
FIU Molecular Biology, UP (C,E)..... 2,912,000
FIU Social Science (International Studies), UP (C,E)..... 4,383,261
FIU Public Safety Building - UP (P,C,E)..... 3,131,025
FIU Science/Classroom Complex -UP (P,C)..... 9,000,000
FIU Graduate Classroom Building - UP (P,C)..... 18,619,835
FSU Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).. 6,400,000
FSU Life Sciences Teaching & Research Center (C,E)..... 3,500,000
FSU Neuroscience & Reading Institute (C,E)..... 11,869,540
FSU College of Education Bldg Expansion (P)..... 600,000
FSU Administrative Services Center Panama City (C,E)..... 3,878,728
FSU Thagard Health Center (P,C,E)..... 7,500,000
FSU College of Medicine - Daytona Beach (P,C,E)..... 2,100,000
FSU College of Medicine - Fort Pierce (P,C,E)..... 2,100,000
FSU College of Medicine - Immokalee(P,C,E)..... 4,000,000
FSU Panama City Campus - Academic Center (C,E)..... 7,992,000
NEWC Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E). 3,914,400
NEWC Land Acquisition (S)..... 1,400,000
NEWC Academic Facility (P)..... 700,000
NEWC Remodel Parkview House/Westside Student Center (P,C,E). 700,000
UCF Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E). 8,000,000
UCF Biomedical Science Center (C,E)..... 11,868,952
UCF SCC-UCF Joint Use Facility (P,C,E)..... 7,875,000
UCF Physical Sciences Building (P,C)..... 18,816,566
UF Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).. 13,634,000

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UF Multidisciplinary Nanosystems Facility (C,E)	5,922,300
UF Biomedical Sciences Building (C,E)	33,941,300
UF IFAS Statewide Repairs, Renovations & Infrastructure Imp (P,C,E)	15,165,018
UF Pathogen Research Facility (P,C)	20,750,000
UNF Utilities/Infrastructure/Capital Renewal/Roofs(P,C,E)	4,000,000
UNF Education Building (C,E)	12,000,000
UNF Land Acquisition (S)	14,000,000
USF Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	8,300,000
USF Sarasota/Manatee Utilities & Infrastructure (P,C,E)	1,500,000
USF St. Pete. Utilities/Infrastructure (P,C,E)	825,000
USF Visual and Performing Arts Teaching Facility (P,C)	12,167,602
USF Lakeland Campus, Phase I (P,C)	1,700,000
USF St. Pete Campus - Science and Technology Bldg (C,E)	9,000,000
USF Interdisciplinary Science Teaching & Research Fac. (P,C)	19,953,755
UWF Utilities/Infrastructure/Capital Renewal/Roofs(P,C,E)	4,500,000
UWF Science and Technology, Phase I (C,E)	16,469,532

31A FIXED CAPITAL OUTLAY
SUS PROJECTS - CONSTRUCTION COST INCREASE
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 56,543,246

Funds provided above for system wide cost increases shall be distributed by the Board of Governors of the State University System to the specific universities, in the amounts identified in the "Survey Questionnaire on Cost Escalation of Current PECO Projects", dated March 9, 2006 in the column titled "Additional Funding Required As Submitted January 24, 2006" and approved by the Board of Governors on March 14, 2006.

32 FIXED CAPITAL OUTLAY
SPECIAL FACILITY CONSTRUCTION ACCOUNT
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 27,531,199

Funds in Specific Appropriation 32 shall be allocated in accordance with section 1013.64(2), Florida Statutes, for the following projects:

Franklin - New K-12 School (Complete)	13,150,000
Suwannee - New K-5 School (Complete)	6,070,000
Hardee - New K-8 School (Supplemental)	6,624,563
Glades - New K-6 School (Supplemental)	1,686,636

33 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND . 25,000,000
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 833,783,164
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT
SERVICE TRUST FUND 100,000,000

34 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SCHOOL DISTRICT AND
COMMUNITY COLLEGE
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT
SERVICE TRUST FUND 21,100,000

35 FIXED CAPITAL OUTLAY
FLORIDA SCHOOL FOR THE DEAF AND BLIND -
CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 11,465,690

Funds in Specific Appropriation 35 are for the following projects:

Major Renovations and New Construction	8,700,000
Building Maintenance	1,173,090
Campus-wide Systems Maintenance	1,381,100
Campus Safety and Code Compliance	205,000
Facilities Master Plan	6,500

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36 FIXED CAPITAL OUTLAY
DIVISION OF BLIND SERVICES - CAPITAL
PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 1,125,000

Funds in Specific Appropriation 36 are for the Daytona Beach District Office Remodeling project.

36A FIXED CAPITAL OUTLAY
JOINT-USE FACILITIES PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 6,550,044

Funds provided in Specific Appropriation 36A are for a Seminole Community College - UCF Joint-Use Facility.

37 FIXED CAPITAL OUTLAY
PUBLIC BROADCASTING PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 2,829,307

Funds in Specific Appropriation 37 are for the following projects:

WMFE-TV/FM Orlando - Construction	487,437
WEDU-TV Tampa - Construction	331,801
WJCT-TV/FM Jacksonville - Construction	383,069
WKGC-FM Panama City	127,000
WJCT-TV/FM Jacksonville - HVAC and Mold Abatement	1,500,000

38A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
PUBLIC SCHOOL CLASS-SIZE REDUCTION
CONSTRUCTION
FROM LOTTERY CAPITAL OUTLAY AND DEBT
SERVICES TRUST FUND 654,697,990
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 445,302,010

Funds provided in Specific Appropriation 38A, totaling $1.1 billion, shall be distributed to the school districts for construction required by the constitutional amendment for Class Size Reduction. The funds shall be distributed by the Department of Education in accordance with the Classrooms for Kids distribution formula included in section 1013.735, Florida Statutes.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 25,000,000
FROM TRUST FUNDS 3514,581,154

TOTAL ALL FUNDS 3539,581,154

VOCATIONAL REHABILITATION

APPROVED SALARY RATE 35,157,279

40 SALARIES AND BENEFITS POSITIONS 1,013.50
FROM GENERAL REVENUE FUND 8,895,522
FROM FEDERAL REHABILITATION TRUST FUND . . 33,462,572
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 3,951,035

For funds in Specific Appropriations 40 through 53 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

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41 OTHER PERSONAL SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 2,142,365
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 125,742

42 EXPENSES
FROM FEDERAL REHABILITATION TRUST FUND . . 10,200,659
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 916,698

43 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULTS WITH DISABILITIES
FUNDS
FROM GENERAL REVENUE FUND 19,008,431

Funds provided in Specific Appropriation 43 shall be distributed to community colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2005-2006 will be eligible for continuation funding if the program has made satisfactory progress and the application reflects effective use of resources as defined by the Department of Education. The department has the authority to redistribute any funds due to unsatisfactory progress, ineffective use of resources, or discontinued programs.

From the funds provided in Specific Appropriation 43, $500,000 is provided for the First Coast Technical Institute.

From the funds in Specific Appropriation 43, provided that satisfactory progress was made during the 2005-2006 fiscal year, $17,124,144 is provided for school district adult handicapped programs and shall be allocated as follows:

Alachua	49,151
Baker	215,827
Bay	192,895
Bradford	70,029
Brevard	600,685
Broward	1,827,855
Charlotte	69,553
Citrus	150,171
Collier	51,787
Columbia	51,621
De Soto	321,324
Escambia	293,265
Flagler	1,063,077
Gadsden	539,678
Gulf	42,236
Hardee	59,821
Hernando	100,541
Hillsborough	569,106
Jackson	2,021,934
Jefferson	76,408
Lake	35,555
Leon	1,141,675
Martin	409,403
Miami-Dade	2,232,136
Monroe	103,677
Orange	554,555
Osceola	43,756
Palm Beach	1,508,606
Pasco	18,617
Pinellas	742,591
Polk	324,559
St. Johns	135,385
Santa Rosa	49,104
Sarasota	868,659
Sumter	17,228
Suwannee	94,786
Taylor	93,710
Union	103,224
Wakulla	45,579
Washington	234,375

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From the funds provided in Specific Appropriation 43, provided that satisfactory progress was made during the 2005-2006 fiscal year, $1,384,287 is provided for community college adult handicapped programs and shall be allocated as follows:

Central Florida Community College	39,105
Daytona Beach Community College	333,273
Florida Community College at Jacksonville	288,168
Indian River Community College	152,600
Pensacola Community College	42,236
St. Johns River Community College	50,682
Santa Fe Community College	83,064
Seminole Community College	73,209
South Florida Community College	276,405
Tallahassee Community College	45,545

44 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA ENDOWMENT
FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 500,000

45 OPERATING CAPITAL OUTLAY
FROM FEDERAL REHABILITATION TRUST FUND . . 480,986
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 49,601

46 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 519,446
FROM FEDERAL REHABILITATION TRUST FUND . . 5,124,245
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 3,213,708

47 SPECIAL CATEGORIES
INDEPENDENT LIVING SERVICES
FROM GENERAL REVENUE FUND 1,500,000
FROM FEDERAL REHABILITATION TRUST FUND . . 4,140,636

Funds provided in Specific Appropriation 47 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2004-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, $3,300,000 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

48 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 24,736,398
FROM FEDERAL REHABILITATION TRUST FUND . . 88,316,251

49 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL REHABILITATION TRUST FUND . . 310,009
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 27,647

50 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 78,029
FROM FEDERAL REHABILITATION TRUST FUND . . 293,524
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 34,657

51 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 216,845
FROM FEDERAL REHABILITATION TRUST FUND . . 765,876

52 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 515,903

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53 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 257,455
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 364

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 55,454,671
FROM TRUST FUNDS 154,329,933

TOTAL POSITIONS 1,013.50
TOTAL ALL FUNDS 209,784,604

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 9,929,232

54 SALARIES AND BENEFITS POSITIONS 306.00
FROM GENERAL REVENUE FUND 3,960,006
FROM FEDERAL REHABILITATION TRUST FUND . . 8,701,554

55 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 87,591
FROM FEDERAL REHABILITATION TRUST FUND . . 95,354
FROM GRANTS AND DONATIONS TRUST FUND . . . 105,047

56 EXPENSES
FROM GENERAL REVENUE FUND 395,951
FROM FEDERAL REHABILITATION TRUST FUND . . 2,314,711
FROM GRANTS AND DONATIONS TRUST FUND . . . 45,000

57 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES
FROM GENERAL REVENUE FUND 818,498
FROM FEDERAL REHABILITATION TRUST FUND . . 4,281,584
FROM GRANTS AND DONATIONS TRUST FUND . . . 240,623

58 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 58,590
FROM FEDERAL REHABILITATION TRUST FUND . . 125,198

59 FOOD PRODUCTS
FROM FEDERAL REHABILITATION TRUST FUND . . 200,000

60 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL REHABILITATION TRUST FUND . . 100,000

61 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND 8,437,828
FROM FEDERAL REHABILITATION TRUST FUND . . 14,235,095
FROM GRANTS AND DONATIONS TRUST FUND . . . 763,277

General Revenue funds in Specific Appropriation 61 include $937,600 for the Blind Babies Program and $100,226 for the Blind Americans Wishing Well Center.

62 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 31,316
FROM FEDERAL REHABILITATION TRUST FUND . . 90,331

63 SPECIAL CATEGORIES
LIBRARY SERVICES
FROM GENERAL REVENUE FUND 50,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

64 SPECIAL CATEGORIES
VENDING STANDS - EQUIPMENT AND SUPPLIES
FROM FEDERAL REHABILITATION TRUST FUND . . 1,100,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 895,000

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65 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 38,358
FROM FEDERAL REHABILITATION TRUST FUND . . 84,287

66 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 923,280

67 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM GENERAL REVENUE FUND 4,162
FROM FEDERAL REHABILITATION TRUST FUND . . 115,838

68 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 156,551

TOTAL: BLIND SERVICES, DIVISION OF
FROM GENERAL REVENUE FUND 13,882,300
FROM TRUST FUNDS 34,672,730

TOTAL POSITIONS 306.00
TOTAL ALL FUNDS 48,555,030

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

69 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY
FROM GENERAL REVENUE FUND 3,000,000

70 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)
FROM GENERAL REVENUE FUND 5,238,750

Funds in Specific Appropriation 70 are provided to support 4,191 students at $1,250 per student and shall be administered pursuant to section 1009.891, Florida Statutes. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term in the event more than 4,191 students are deemed to be eligible.

70A SPECIAL CATEGORIES
FLORIDA INDEPENDENT COLLEGIATE ASSISTANCE GRANT
FROM GENERAL REVENUE FUND 2,500,000

Funds in Specific Appropriation 70A are provided to support students enrolled in an undergraduate degree program that leads to employment in an occupation that is one of the top 15 occupations in number of annual openings as listed on the Agency for Workforce Innovation's Florida Statewide Targeted Occupations List at the time of the student's enrollment. The institutions eligible for participation must be licensed by the Commission for Independent Education under chapter 1005, Florida Statutes, and be accredited by an organization that is recognized by the United States Secretary of Education as a reliable authority as to the quality of education or training offered.

Eligible institutions shall also be those participating in the common course numbering system, using an assessment required in section 1005.04(1)(b), Florida Statutes, and that has been approved by the State Board of Education, and participating in the Florida Education and Training Placement Information Program. Students must meet Florida residency requirements according to section 1009.40, Florida Statutes, be enrolled as a full-time undergraduate degree seeking student in a Florida campus-based program, make satisfactory academic progress as defined by the State Board of Education, and not be eligible for ABLE or FRAG. Students may not receive the grant for more than 9 semesters or 14 quarters.

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Funds in Specific Appropriation 70A are provided to support 2,000 students at $1,250 per student. The Office of Student Financial Assistance may prorate the award and provide a lesser amount for students enrolled in the Florida Independent Collegiate Assistance (FICA) Grant Program in the second term in the event that more than 2,000 students are deemed to be eligible for a FICA grant.

71 SPECIAL CATEGORIES
HISTORICALLY BLACK PRIVATE COLLEGES
FROM GENERAL REVENUE FUND 12,100,000

Funds in Specific Appropriation 71 shall be allocated as follows:

Bethune-Cookman College	4,514,195
Edward Waters College	3,508,807
Florida Memorial College	3,908,956
Library Resources	168,042

Each college president shall submit a proposed expenditure plan to the Department of Education prior to the release of these funds. Funds shall not be expended on promotional materials or on staff development. Each college shall provide an exact accounting of expenditures to the Department of Education.

Funds in Specific Appropriation 71 for Library Resources shall be used for the purchase of books and other related library materials, such as audio and media resources, pursuant to section 1006.59, Florida Statutes. Funds shall be allocated equally to Florida Memorial College, Bethune-Cookman College, and Edward Waters College.

72 SPECIAL CATEGORIES
GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 16,001,657

The funds in Specific Appropriation 72 shall be allocated as follows:

Cancer Research	1,875,200
PhD Program in Biomedical Science	1,076,200
College of Medicine	7,050,257
Sylvester Cancer Center	6,000,000

Funds provided for the University of Miami, College of Medicine are for 500 attending Florida residents.

72A SPECIAL CATEGORIES
GRANTS AND AIDS - ACCELERATED BACHELORS IN NURSING PROGRAM AT THE UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 500,000

73 SPECIAL CATEGORIES
ACADEMIC PROGRAM CONTRACTS
FROM GENERAL REVENUE FUND 1,145,596

Funds in Specific Appropriation 73 shall be allocated by the Department of Education to the following private colleges and universities:

University of Miami	591,370
Florida Institute of Technology	300,000
Barry University	162,858
Nova/Southeastern University	91,368

These funds shall be allocated for the following programs:

University of Miami: $241,473 for Rosenstiel Marine Science and $349,897 for the BS and MFA in Motion Pictures.

Florida Institute of Technology: $300,000 for BS Engineering and Science Education.

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Barry University: BS Nursing, MSW Social Work.

Nova/Southeastern University: MS in Speech Pathology.

Each university president shall submit a proposed expenditure plan to the Department of Education, for each program, prior to the release of these funds. The Department of Education shall review each plan for compliance and shall identify corrective actions to be taken by an institution not meeting the prescribed standards.

74 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 596,094

75 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 102,603,148

Funds in Specific Appropriation 75 shall be used for tuition assistance for qualified Florida residents. Funds are provided to support 34,201 students at $3,000 per student. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term payment in the event more than 34,201 students are deemed to be Florida residents.

76 SPECIAL CATEGORIES
NOVA SOUTHEASTERN UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 6,690,750

From funds provided in Specific Appropriation 76, $6,565,750 is to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, and Nursing programs. The university shall submit student enrollment information, by program. The amount of $125,000 is to support rural and unmet needs in these programs.

76A SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 4,450,000

The funds provided in Specific Appropriation 76A shall be allocated as follows:

Education Infrastructure - Edward Waters College	100,000
School of Architecture - Florida Institute of Technology	250,000
Nursing Education at Bethune-Cookman College	800,000
Nursing Education at Florida Southern College	2,000,000
Nursing Education at Florida Memorial College	200,000
Nursing Education at Barry University	100,000
2+2 Partnership Baccalaureate Incentives	1,000,000

Funds for 2+2 Partnership Baccalaureate Incentives are allocated in Specific Appropriation 17.

77 SPECIAL CATEGORIES
LECOM / FLORIDA - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 600,000

Funds in Specific Appropriation 77 shall be used to reduce the amount of tuition paid by Florida residents who are enrolled in the Florida branch of the Lake Erie College of Osteopathic Medicine (LECOM). The college shall submit enrollment information for Florida residents to the Department of Education, prior to January 1, 2007.

78 SPECIAL CATEGORIES
GRANTS AND AIDS - CRITICAL TRAINING NEEDS - EQUIPMENT
FROM GENERAL REVENUE FUND 864,000

From the funds in Specific Appropriation 78, $737,500 is provided for a liquid chromatograph/mass spectrometer and a DNA sequencer for the

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Forensic Science program at the University of Tampa. From the funds in Specific Appropriation 78, $126,500 is provided for training equipment for the Nursing Science program at the University of Tampa.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 156,289,995

TOTAL ALL FUNDS 156,289,995

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

80 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 7,200,000
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 400,000
FROM STUDENT LOAN OPERATING TRUST FUND . . 375,000

81 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 2,809,600

82 SPECIAL CATEGORIES
ETHICS IN BUSINESS SCHOLARSHIPS
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 500,000

83 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 235,328
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 444,000

84 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 94,815,553
FROM STUDENT LOAN OPERATING TRUST FUND . . 8,475,276

The funds in Specific Appropriations 6 and 84 are provided in the amounts specified for each scholarship and grant program listed below.

Florida Student Assistance Grant - Public Full & Part Time.	94,721,079
Florida Student Assistance Grant - Private.....	15,304,805
Florida Student Assistance Grant - Postsecondary.....	10,484,394
Children/Spouses of Deceased/Disabled Veterans.....	557,723
Florida Work Experience.....	1,069,922
Critical Teacher Shortage Program.....	2,500,000
Rosewood Family Scholarships.....	100,000

From the funds provided in Specific Appropriations 6 and 84 the maximum grant to any student from the Florida Public, Private, and Postsecondary Assistance Grant Programs shall be $1,722.

Funds provided in Specific Appropriation 84 from the Student Loan Operating Trust Fund shall only be allocated to colleges and universities that used the Office of Student Financial Assistance as their designated guaranty agency for at least 70 percent of their Federal Family Education Loan volume in Fiscal Year 2005-2006.

85 FINANCIAL ASSISTANCE PAYMENTS
JOSE MARTI SCHOLARSHIP CHALLENGE GRANT
FROM GENERAL REVENUE FUND 100,000
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 196,000

86 FINANCIAL ASSISTANCE PAYMENTS
TRANSFER TO THE FLORIDA EDUCATION FUND
FROM GENERAL REVENUE FUND 1,760,000

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From the funds in Specific Appropriation 86, $500,000 is provided to recruit and support Hispanic students for the McKnight Doctoral Fellowship Program.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM GENERAL REVENUE FUND 106,920,481
FROM TRUST FUNDS 10,390,276

TOTAL ALL FUNDS 117,310,757

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

87 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL AIDS TRUST FUND 2,563,089

88 FINANCIAL ASSISTANCE PAYMENTS
ROBERT C. BYRD HONORS SCHOLARSHIP
FROM EDUCATIONAL AIDS TRUST FUND 2,145,000

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL
FROM TRUST FUNDS 4,708,089

TOTAL ALL FUNDS 4,708,089

EARLY LEARNING

PREKINDERGARTEN EDUCATION

89 SPECIAL CATEGORIES
TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS TO AGENCY FOR WORKFORCE INNOVATION
FROM GENERAL REVENUE FUND 388,100,000

Funds in Specific Appropriation 89 are provided for transfer to the Agency for Workforce Innovation to implement the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71 (3) (a), Florida Statutes, the base student allocation per full-time equivalent student in the program for Fiscal Year 2006-2007 shall be $2,560. The allocation includes 5 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions relating to the voluntary prekindergarten education program.

The funds in Specific Appropriation 89 shall be allocated as follows:

Alachua.....	5,042,159
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	5,173,098
Brevard.....	10,119,402
Broward.....	42,263,796
Charlotte, DeSoto, Highlands, Hardee.....	6,841,427
Clay, Nassau, Baker, Bradford.....	5,212,347
Columbia, Hamilton, Lafayette, Union, Suwannee.....	3,164,455
Dade, Monroe.....	51,466,234
Dixie, Gilchrist, Levy, Citrus, Sumter.....	5,110,751
Duval.....	26,148,045
Escambia.....	6,309,008
Hendry, Glades, Collier, Lee.....	20,656,122
Hillsborough.....	31,631,893
Lake.....	5,772,795
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	8,804,716
Manatee.....	6,749,811
Marion.....	4,765,615
Martin, Okeechobee, Indian River.....	6,135,964
Okaloosa, Walton.....	5,167,823
Orange.....	25,626,761
Osceola.....	5,626,072
Palm Beach.....	25,866,788
Pasco, Hernando.....	10,759,328
Pinellas.....	17,195,058

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Polk	9,114,709
Putnam, St. Johns	3,440,395
St. Lucie	4,033,931
Santa Rosa	1,623,480
Sarasota	5,360,826
Seminole	11,459,148
Volusia, Flagler	11,458,043

90 SPECIAL CATEGORIES
GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY
FROM GENERAL REVENUE FUND 2,000,000

TOTAL: PREKINDERGARTEN EDUCATION
FROM GENERAL REVENUE FUND 390,100,000

TOTAL ALL FUNDS 390,100,000

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2006-2007 fiscal year are incorporated by reference in the act implementing the 2006-2007 General Appropriations Act. The calculations are the basis for the appropriations made in the General Appropriations Act.

91 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM
FROM GENERAL REVENUE FUND 6596,725,922
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 89,169,746

Funds provided in Specific Appropriation 91 shall be allocated using a base student allocation of $3,981.61 for the FEFP.

From the funds in Specific Appropriation 91, charter schools shall be provided an allocation pursuant to section 1002.33(17), Florida Statutes. However, for those charter schools that were in operation prior to July 1, 1999, funds per student shall be no less than they received in Fiscal Year 1998-1999.

From the funds provided in Specific Appropriation 91, all juvenile justice students in juvenile justice educational programs shall receive no less than the funds per student in Fiscal Year 1998-1999.

From the funds provided in Specific Appropriation 91, juvenile justice educational programs shall receive the basic allocation assigned to a juvenile justice student, including ESE special education funding when appropriate. If a school district provides incentive funding for teachers to work in a failing school, then an equal incentive bonus must be provided to teachers teaching in juvenile justice facilities.

A minimum guaranteed level of funding shall be calculated to provide each school district a 1.0 percent increase per unweighted full-time equivalent student over the amount per unweighted full-time equivalent student funded in the 2005-2006 FEFP. The calculation of this minimum funding shall compare total state and local formula and categorical funds, discretionary lottery, and actual discretionary local revenue for 2005-2006 with total state and local formula and categorical funds, discretionary lottery, and maximum potential discretionary local revenue for 2006-2007 and shall include the additional funds required for the increased Florida Retirement System contribution. Funds for the School Recognition Program shall not be included in the calculation of the Minimum Guarantee.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriation 91, $35,000,000 is provided for the Sparsity Supplement as defined in section 1011.62(6), Florida Statutes, for school districts of 20,000 and fewer FTE in 2006-2007.

Total required local effort for 2006-2007 shall be $7,357,994,671. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in 2006-2007 shall be:

1. 0.51 mills

If a 0.51 mill levy in any school district generates an amount of funds per unweighted FTE that are less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriation 91, a discretionary millage compression supplement that when added to the funds generated by the district's 0.51 mill levy shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

2. 0.25 mills

An additional levy is authorized not to exceed 0.25 mills, that will raise an amount not to exceed $100 per FTE. District school boards that levy the entire additional 0.25 mills and raise less than $100 per K-12 FTE shall receive, from the funds provided in Specific Appropriation 91, an amount that, combined with funds raised by the 0.25 mills, will provide $100 per K-12 FTE. To be eligible for state funds provided in this paragraph, a district must levy the full 0.25 mills and the full 0.51 mills.

Funds provided in Specific Appropriation 91 are based upon program cost factors for 2006-2007 as follows:

1. Basic Programs
   A. K-3 Basic.....1.035
   B. 4-8 Basic.....1.000
   C. 9-12 Basic.....1.088

2. Programs for Exceptional Students
   A. Support Level 4.....3.734
   B. Support Level 5.....5.201

3. English for Speakers of Other Languages 1.275

4. Programs for Grades 9-12
   Career Education.....1.159

From the funds in Specific Appropriation 91, $1,101,383,681 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation to provide educational programs and services for exceptional students. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. Each district's ESE Guaranteed Allocation for the 2006-2007 appropriation shall not be recalculated during the school year. School districts that have provided educational services in 2005-2006 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriation 91, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than 3 FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed 3 FTE.

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A student in cooperative education or other types of programs incorporating on-the-job training shall not be counted for more than twenty-five (25) hours per week of membership in all programs when calculating full-time student membership, as provided in section 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

From the funds in Specific Appropriation 91, $75,350,000 is provided for Safe Schools activities and shall be allocated as follows: $50,000 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (3) alternative school programs for adjudicated youth; (4) suicide prevention programs; and (5) other improvements to make the school a safe place to learn. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity.

From the funds in Specific Appropriation 91, $707,826,199 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62(1)(f), Florida Statutes. First priority for use of these funds shall be the provision of supplemental intensive instruction, consistent with the Sunshine State Standards, including summer school and intensive English immersion instruction, for students in grades 3 and 10 who scored FCAT Level I in FCAT reading or math. Each district's Supplemental Academic Instruction allocation for the 2006-2007 appropriation shall not be recalculated during the school year.

From the funds in Specific Appropriation 91, $111,800,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of $50,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the state total K-12 base funding.

From the funds in Specific Appropriation 91, $147,500,000 is provided for the Special Teachers Are Rewarded performance pay plan (STAR Plan). Funds shall be distributed to school districts for performance pay rewards to instructional personnel as defined in section 1012.01(2) (a)-(d), Florida Statutes, in all K-12 schools in the district, in accordance with the requirements of section 1012.22, Florida Statutes. STAR Plan funds shall be allocated based on each district's proportion of the state total K-12 base funding, subject to review and approval by the State Board of Education of the district's STAR Plan. The district's STAR Plan may include information from the district's instructional personnel assessment system, and shall include instructional personnel evaluation based on the performance of their students. The Department of Education shall develop model methodologies that ensure fairness and equity for all instructional personnel, and shall provide technical assistance upon request.

Each school district that chooses to participate in the STAR Plan shall submit its comprehensive STAR Plan, which shall include rewards for elementary, middle, and high school instructional personnel, to the State Board of Education by December 31, 2006. Any charter school that does not follow the district's salary schedule may submit a separate proposal with the district's plan. Charter school proposals shall be included with the district plans or may be submitted independently if the district does not submit a plan. Districts that do not submit a plan by December 31, 2006, shall not be eligible to receive STAR Plan funds. The State Board shall review each district's STAR Plan within 45 days of receipt and shall approve the plan or request revisions. If requesting revisions, the State Board must identify the specific area(s) of the proposed plan needing revision. Districts must submit their revised plan by March 1, 2007. The State Board shall review the revised plan and may either approve the revised plan or deny the district eligibility to receive STAR Plan funds for the 2006-2007 fiscal year. STAR Plan funds shall not be recalculated during the fiscal year except that funds allocated for districts that fail to adopt approved STAR

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Plans by April 1, 2007, shall be redistributed to those districts that have approved plans in place by the required date. The redistribution calculation shall be verified by the Florida Education Finance Program Appropriation Allocation Conference.

District STAR Plans must meet the following guidelines:

1. Eligibility - All instructional personnel are automatically eligible to receive rewards for improved student achievement without having to apply.

2. Determination of number of rewards - The district plan shall utilize funds received under this program for rewards of at least 5 percent of the base pay of the best performing 25 percent of instructional personnel. Districts shall use any remaining funds to provide bonuses to additional instructional personnel or school-based leaders pursuant to their plans. District school boards are encouraged to provide additional rewards to instructional personnel they determine to be outstanding. District school boards shall distribute funds for State Board approved charter school plans to charter schools based on each charter school's proportion of the district's total K-12 base funding.

3. Evaluation instrument - Each district school board shall select or develop an evaluation instrument. The instrument's primary determining factor shall be the evaluation of improved student achievement. The instrument's factors shall be scored using the following categories, or categories that are substantially similar in number and connotation: unsatisfactory, needs improvement, satisfactory, high-performing, and outstanding. Instructional personnel must receive no unsatisfactory or needs improvement ratings and may receive no more than one satisfactory rating on the areas evaluated in order to receive a reward.

4. Instructional personnel evaluation based on student performance - District school boards shall determine appropriate methods to evaluate instructional personnel based on the performance of their students. The methods must measure improved student achievement during the course of the school year; and must be approved by the State Board of Education.

a. Evaluation of improved student achievement for instructional personnel linked by course numbers to instruction in reading or math shall be determined by a standardized test.

b. Evaluation of improved student achievement for instructional personnel not linked by course numbers to instruction in reading or math shall be determined by instruments that measure the Sunshine State Standards for the area, including challenging grade-level content and critical thinking skills. District school boards shall develop methods to evaluate improved student achievement in specialized areas, including exceptional student education, fine arts, career and technical education, and other specialties so that all instructional personnel are eligible for rewards.

c. Evaluation of improved student achievement for secondary instructional personnel linked by course number to instruction in social studies or science may be assessed by a standardized test; by linking improved student achievement in reading or mathematics of the students enrolled in the instructional personnel's social studies or science class, as measured by a standardized test; or by instruments that measure the Sunshine State Standards for the area, including challenging grade-level content and critical thinking skills.

District school board STAR Plan proposals may include a methodology for performance pay rewards for district-selected school-based leaders who supervise or directly assist the instructional personnel whose student achievement results in a STAR Plan reward.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

No funds are provided in Specific Appropriation 91 for charter school FTE student enrollment for on-line instruction received by students principally in their own homes. However, charter schools may serve students who are temporarily homebound or who receive a portion of their instruction on-line.

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Funds in Specific Appropriation 91 for dual enrollment instruction of public school students provided at the Daytona Beach Advanced Technology Center shall be provided in an amount equal to the hours of instruction which would be necessary to earn the FTE and the funding for an equivalent course if it were taught in the school district.

92 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND 2038,199,532
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 37,313,032

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $759.59, for grades 4 to 8 shall be $725.20, and for grades 9 to 12 shall be $727.17. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 7 and 92 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

92A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 8,267,849

Funds in Specific Appropriation 92A are to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner in the amount of $100 per student in each qualifying school.

The funds provided from this appropriation shall be expended prior to expenditure of funds for this purpose in Specific Appropriation 8.

93 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 266,673,588

From the funds provided in Specific Appropriation 93, the growth allocation per FTE shall be $357.11 for Fiscal Year 2006-2007.

From the funds provided in Specific Appropriation 93, school districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided in Specific Appropriation 93, $15,000,000 is provided for Library Media Materials, and $4,100,000 is provided for purchase of science lab materials and supplies.

From the funds provided in Specific Appropriation 93, the Commissioner is authorized to purchase, upon requisition by the districts, not more than 12,000 copies of the Florida Handbook for distribution to the public schools using an equitable formula based on the number of students in the respective districts.

95 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT TRANSPORTATION
FROM GENERAL REVENUE FUND 483,032,198

Funds provided in Specific Appropriation 95 shall be used to transport students as provided in section 1011.68, Florida Statutes.

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97 AID TO LOCAL GOVERNMENTS
FLORIDA TEACHERS LEAD PROGRAM
FROM GENERAL REVENUE FUND 45,021,406

Funds provided in Specific Appropriation 97 shall be given to teachers pursuant to section 1012.71, Florida Statutes, and shall not be recalculated during the school year.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM GENERAL REVENUE FUND 9429,652,646
FROM TRUST FUNDS 134,750,627

TOTAL ALL FUNDS 9564,403,273

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 100, 110, and 114, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

98 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT COST
DIFFERENTIAL (DCD) TRANSITION SUPPLEMENT
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 22,700,000

Non-recurring funds provided in Specific Appropriation 98 shall be allocated as follows:

Bay	125,464
Broward	4,477,252
Charlotte	361,305
Citrus	177,086
Columbia	69,041
Miami-Dade	13,005,362
DeSoto	63,144
Dixie	88,264
Escambia	118,374
Flagler	287,606
Franklin	15,364
Gilchrist	6,109
Glades	2,819
Gulf	98,927
Hamilton	59,357
Highlands	194,748
Holmes	153,507
Jackson	67,296
Lafayette	17,770
Manatee	156,362
Martin	127,214
Monroe	406,466
Okaloosa	6,272
Okeechobee	51,283
Palm Beach	379,284
Pinellas	232,446
Sarasota	25,215
Sumter	23,093
Suwannee	120,669
Taylor	48,520
Volusia	1,489,920
Walton	94,036
Washington	123,704
Washington Special	9,501
FAU Lab School	1,452
FSU Lab School (Broward)	12,820
Florida Virtual School	2,948

100 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 2,678,240
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 1,000,000

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The funds provided in Specific Appropriation 100 shall be allocated as follows:

Instructional Materials for Partially Sighted Pupils.....	300,000
Sunlink Uniform Library Database.....	878,240
Learning Through Listening.....	1,500,000
Panhandle Area Educational Consortium (PAEC) for Distance Learning Teacher Training.....	1,000,000

101 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EXCELLENT TEACHING

FROM GENERAL REVENUE FUND	60,053,702	
FROM EXCELLENT TEACHING PROGRAM TRUST FUND		18,971,814
FROM PRINCIPAL STATE SCHOOL TRUST FUND . .		18,873,398

102 AID TO LOCAL GOVERNMENTS
PROFESSIONAL PRACTICES - SUBSTITUTES

FROM GENERAL REVENUE FUND	3,507	

103 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS FOR READING PROGRAMS

FROM EDUCATIONAL AIDS TRUST FUND		58,043,873
FROM PRINCIPAL STATE SCHOOL TRUST FUND . .		18,500,000

The funds in Specific Appropriation 103 are provided to continue "Just Read, Florida" to achieve Florida's reading goal for all students to be reading on grade level or higher by 2012.

From funds in Specific Appropriation 103, the Commissioner may set aside $5,000,000 for intensive reading instruction programs for children in failing schools for the purpose of improving student reading skills. The Commissioner shall determine which schools have achieved the least gains in reading performance and shall require those schools to submit a reading improvement plan detailing proposed efforts to improve reading performance as a condition of receiving additional funding. The reading improvement plan must establish the performance outcome of literacy among its student population and outline specific steps that will be taken to achieve that goal. The plan may include the use of technology to achieve reading goals. A school identified as in need of improvement in reading instruction shall implement only those assessments, progress monitoring instruments, reading strategies, and programs approved by the Commissioner. Programs must demonstrate a record of proven success in improving student reading achievement.

104 SPECIAL CATEGORIES
EDUCATION INNOVATION INITIATIVES

FROM GENERAL REVENUE FUND	1,786,006	
FROM PRINCIPAL STATE SCHOOL TRUST FUND . .		16,213,994

Funds in Specific Appropriation 104 are provided for the A Plus Plus Initiative and are contingent on House Bill 7087 or similar legislation becoming law.

105 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW PERFORMING SCHOOLS

FROM GENERAL REVENUE FUND	7,125,480	

Funds in Specific Appropriation 105 shall be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes.

105A SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT ASSISTANCE INITIATIVES

FROM GENERAL REVENUE FUND	17,930,000	
FROM PRINCIPAL STATE SCHOOL TRUST FUND . .		3,240,000

Funds provided in Specific Appropriation 105A shall be allocated as follows:

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Best Buddies.....	1,050,000
Take Stock in Children.....	5,000,000
Project to Advance School Success (PASS).....	1,420,000
Big Brothers, Big Sisters.....	2,750,000
Learning for Life.....	2,500,000
Communities in Schools.....	1,250,000
Girl Scouts of Florida.....	800,000
Black Male Explorers.....	600,000
Boys and Girls Clubs.....	2,400,000
Governor's Mentoring Initiative.....	900,000
YMCA State Alliance.....	1,500,000
Florida Museum Mentoring Initiative.....	750,000
Role Models Mentoring.....	250,000

Funds provided in Specific Appropriation 105A for the Learning for Life program are eligible to be used in any public school.

From the funds provided in Specific Appropriation 105A for the Communities in Schools (CIS) program, no less than 90 percent shall be allocated to the local CIS programs. No more than 25 percent of this 90 percent may be used for new "replication" sites that expand CIS programs to additional school districts. The balance of the appropriation allocated to CIS may be retained by Communities in Schools of Florida, Inc. for costs related to state coordination and operation. Unused funds shall be redirected to existing local CIS programs. Distribution of all funds, excluding those set aside for replication, is contingent upon a dollar for dollar cash match.

106 SPECIAL CATEGORIES
GRANTS AND AIDS - EDUCATION PARTNERSHIPS

FROM GENERAL REVENUE FUND	7,100,000	
FROM PRINCIPAL STATE SCHOOL TRUST FUND . .		900,000

Funds in Specific Appropriation 106 are provided for Education Partnerships. A school district, school district partners, or a regional education consortium may apply for funding for an educational program to serve disruptive and low performing students in grades 6-12. Programs funded must provide proof of educational progress, as assessed by the FCAT, in reading and mathematics demonstrated in existing programs with similar student populations. The program may operate in a separate school facility provided by the education provider. Any provider of this program must have at least five years experience successfully serving this student population. District school boards and regional education consortiums may contract with a nonprofit or for-profit entity to operate the program including the provision of personnel, supplies, equipment and/or facilities.

The Department of Education shall allocate $6,500,000 to programs that serve a minimum of 300 or more students (large programs). Existing programs in their second or third year of implementation shall be funded prior to the awarding of additional grants. Up to three large programs may be provided up to $75,000 for one year of program planning.

The Department of Education shall allocate $1,500,000 to programs that serve a minimum of 25 or more students (small programs) in districts with fewer than 20,000 full-time equivalent students. Up to three small programs may be provided up to $50,000 for one year of program planning. Any funds not obligated to small district programs may be transferred to the large school district program allocation on or after January 1, 2007.

School districts and consortia are eligible to receive program grants for a total of three fiscal years, subject to legislative appropriations. For districts and consortia that received initial grants in Fiscal Year 2005-2006, but did not implement a program, the Department of Education shall make a corresponding reduction of the amount of program funds for Fiscal Year 2006-2007 and these districts and consortia shall be considered in their first year of implementation. For Fiscal Year 2006-2007, grants shall be limited to no more than $1,750 per student in the first year of implementation of the program, no more than $1,500 per student in year two, and no more than $1,250 per student in year three. The Department of Education shall notify school districts and regional education consortia of the amount of the grant awards by November 15, 2006.

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If funds remain after awarding grants to new and existing programs within the three years of program grant eligibility, continuation grant awards may be made available to districts with ongoing education partnerships. The Department of Education may award remaining funds for continuation grants of up to $1,000 per student. Any continuation grants awarded shall be distributed to ongoing partnerships based on their proportion of the total full-time equivalent enrollment within the ongoing programs.

106A SPECIAL CATEGORIES
INNOVATIVE READING PILOT PROGRAMS
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 4,500,000

The funds provided in Specific Appropriation 106A shall be allocated as follows:

Innovative Reading Pilot Program	2,500,000
LEP Student Reading Pilot Program	2,000,000

The Innovative Reading Pilot Program shall use Internet-delivered interactive reading instruction for students in Prekindergarten through third grade. The program shall be developed using scientifically-based reading research and explicitly and systematically teach all five key areas of reading: phonemic awareness, phonics, vocabulary, fluency, and comprehension. Performance data and instruction shall be fully integrated into a single program. The program shall differentiate instruction in real-time based upon student interactions and cumulative performance data. The student's path of instruction shall be automatically adapted in real-time based upon those interactions. The program shall have scaffolded teaching cycles that introduce, teach, and model each skill as well as provide ample guided and independent practice. Each teaching cycle shall incorporate reading-connected text in interactive decodable books within the Internet-delivered program that cumulatively reviews previously taught skills. The program shall automatically assess students prior to, throughout, and after each cycle as well as cumulatively throughout the program to determine each child's skill level without teacher intervention. The program must provide real-time student assessment reports that give detailed performance information that is automatically analyzed to identify struggling students, link to recommended teacher-directed instruction, and document a history of individual student interventions. The reports shall be accessible from any computer connected to the Internet. The program shall be provided at a cost not to exceed $95 per student per year exclusive of teacher training. No less that 90 percent of these funds shall be utilized for direct product acquisition and vendor provided professional development training. The program shall be commenced no later that September 1, 2006 to allow for full implementation of the program in the 2006-2007 school year.

The Innovative Reading Pilot Program funds shall be allocated as follows:

Clay	200,000
Gadsden	50,000
Hillsborough	800,000
Monroe	100,000
Okeechobee	100,000
Polk	600,000
Putnam	200,000
Northeast Florida Education Consortium (NEFEC)	450,000

The LEP Student Reading Pilot Program must be accessible from any Internet-based computer while providing an audit trail of students' work for teachers and administrators and daily progress monitoring. It must be correlated to the Florida Sunshine State Standards and capable of implementation in upper elementary, middle, and high school as well as adult education. It shall provide a literacy intervention program for newcomers, early readers, or emerging readers through multicultural stories in different genres (biographies, short stories, myths and legends, and poems). The instruction must integrate reading, listening, writing, and speaking activities through extensive lesson plans and printable student worksheets for establishing a portfolio demonstrating reading proficiency. The program shall be provided at a cost not to exceed $95 per student per year exclusive of teacher training. No less than 90 percent of these funds shall be utilized for direct product acquisition and vendor provided professional development training. The program shall be commenced no later than September 1, 2006 to allow for full implementation of the program in the 2006-2007 school year.

The LEP Student Reading Pilot Program funds shall be allocated as follows:

Highlands	50,000
Hillsborough	500,000
Manatee	100,000
Marion	100,000
Monroe	50,000
Okeechobee	25,000
Orange	200,000
Osceola	200,000
Polk	375,000
Putnam	50,000
Volusia	250,000
Northeast Florida Education Consortium (NEFEC)	100,000

106B SPECIAL CATEGORIES
KINDERGARTEN THROUGH GRADE EIGHT VIRTUAL EDUCATION
FROM GENERAL REVENUE FUND 7,200,000

The K-8 Virtual schools shall be funded with grants of up to $5,200 per student not to exceed $7,200,000 total funding.

107 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 3,399,990

107A SPECIAL CATEGORIES
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 1,000,000

Funds provided for the Angels Helping Hands program shall provide 8,000 computers at a cost to each participating school district of $125 per unit that includes the cost of shipping and handling. The Department of Education shall select 15 small, 4 medium, and 3 large districts, and 20 charter schools that need laptop computers. The selected small districts may collectively participate in this program through their regional education consortium.

The intended outcome is to create value and empowerment in technology acquisition. Computers and/or technology delivered are intended for classroom, media center or learning lab use. For participating districts this offering shall be considered a single source procurement not limited to any state threshold or bidding obligation.

107B SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT LOAN PROGRAM
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 3,200,000

Funds provided in Specific Appropriation 107B are to assist the Escambia county and Santa Rosa county district school boards to meet current operating expenses while awaiting resolution of the Pensacola Beach and Navarre Beach litigation of school property taxes. Upon request of the school board of either district, the Department of Education may make a loan to the district in the amount the district needs to meet current operating expenses up to the calculated amount of required local effort taxes on the assessed value of the property in litigation that has not been paid by the property owner or has been paid but is not available to the school district to be budgeted and expended. The amount of any loan received by a district must be repaid following resolution of the litigation. The department may allow a district to repay over a period not to exceed two fiscal years if an earlier repayment would create an unnecessary financial hardship on the district. The funds received in repayment shall be deposited in the state General Revenue Fund at the time of payment. Loans shall not

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exceed the amount of this appropriation. If the districts' request is greater than the appropriation, then the Department of Education shall allocate the loan amounts in proportion to the districts' need.

108 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 3,039,494

Funds provided in Specific Appropriation 108 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida	633,344
University of Miami	596,381
Florida State University	594,558
University of South Florida	621,637
University of Florida Health Science Center at Jacksonville.	593,574

Each center shall provide a report to the Department of Education by September 1, 2006, for the 2005-2006 fiscal year that shall include the following: 1) the number of children served, 2) the number of parents served, 3) the number of persons participating in in-service education activities, 4) the number of districts served, and 5) specific services provided.

109 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 1,128,445

110 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 2,000,000
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 1,000,000

Funds in Specific Appropriation 110 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Before any funds provided in Specific Appropriation 110 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that private cash has actually been received by the public school district education foundation seeking state matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program. Administrative costs for the program shall not exceed five percent.

112 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 165,000

113 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 7,518,000

Funds provided in Specific Appropriation 113 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute.	1,318,566
University of Florida (College of Medicine)	914,366
University of Central Florida	1,129,166
University of Miami (Department of Pediatrics) including $297,250 for activities in Broward County through Nova Southeastern University	1,429,170
Florida Atlantic University	715,100
University of Florida (Jacksonville)	952,866
Florida State University (College of Communications)	1,058,766

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Summaries of achievements for the prior fiscal year shall be submitted to the Department of Education by September 1, 2006.

114 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,750,000

From the funds provided in Specific Appropriation 114, each regional consortium service organization is eligible to receive, through the Department of Education, an incentive grant of $50,000 for each school district and each eligible member to be used for the delivery of services within the participating school districts.

115 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 377,551
FROM EDUCATIONAL AIDS TRUST FUND 134,559,389

Funds provided in Specific Appropriation 115 from the General Revenue Fund shall be allocated as follows:

Florida Association of District School Superintendents Training	290,400
Principal of the Year	35,000
Teacher of the Year	39,208
School Related Personnel of the Year	12,943

116 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND 1,728,634
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 12,611,054

Funds in Specific Appropriation 116 shall be allocated as follows:

Instructional Materials Management	105,634
Arts for a Complete Education	300,000
State Science Fair	60,000
Academic Tourney	100,000
Florida Holocaust Museum	600,000
Pensacola Naval Museum Distance Learning	750,000
After School Tutoring - Dade	25,000
Holocaust Reference/Research Library	300,000
Russell Reading Room	225,000
Operation Student Success	94,840
Holocaust Memorial Committee	75,000
Out of School Suspension Program	50,000
Young Haitian Leadership Program	150,000
Statewide Science Teacher Education Program	400,000
FHSAA Finals Participant Reimbursement Program	500,000
Music Assessment Project: Grade 4	100,000
Yes I Can/High School Dropout Prevention Program	120,000
After School Student Tutorial Lab/Program	25,000
Schultz Center for Teaching and Leadership	350,000
Juveniles Incompetent to Proceed (JITP) Program	244,315
Automotive Youth Educational Systems (AYES) - FADA	100,000
Tampa Autism Project (TAP)	700,000
Volusia/Flagler Advanced Technology Center	250,000
Embry Riddle Engineering/Physics Career Launch	200,000
Miami-Dade District Teenage Parent Program	250,000
Florida Students Using Math Skillfully (Florida SUMS)-NEFEC.	500,000
Targeted Rural/Urban Training Needs - NEFEC	500,000
Florida Learning Alliance Operations - NEFEC	300,000
Orange County YMCA Project FYT	350,000
Norris Langston Tutoring and Mentoring	250,000
Island Dolphin Care Center	50,000
Florida Council on Economic Education	500,000
Sunshine State Scholars	100,000
Sea Trek Distance Learning	550,000
Online Test Preparation for Teacher Retention	300,000
Hallandale Beach After School Tutorial Program	150,000
Pembroke Pines After School Tutorial Program	50,000

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Rio Grande Charter School of Excellence	250,000
Project CHILD	1,000,000
Online Library Pilot Project	800,000
School Safety / Emergency Preparedness	1,500,000
Digital Divide Technology Gap Programs	300,000
Mobility Opportunities Via Education - Neptune Beach	16,820
FHSAA Random Steroids Testing Pilot Program	200,000
Endeavour Academy	350,000
Children's Learning Center - Charter School Level 1 Reader Intensive Improvement Program	248,079

Funds for School Safety / Emergency Preparedness are provided for pilot implementation of an immediate response information system in one large, two medium, and four small school districts. The system will serve to enhance the safety of school children in emergency situations, such as impending hurricane and severe weather, fire, bomb threat, homeland security and other critical school safety events. The system must be real-time and multi-lingual with the ability to notify parents of emergency and non-emergency situations in at least ten different languages through email, telephone, and other communication devices. The Department of Education shall competitively bid this project in accordance with the provisions of chapter 287, Florida Statutes. To allow for early implementation, all funds shall be under contract no later than September 15, 2006.

Funds for the Online Library Pilot Project are provided for an electronic web-based library pilot project for high schools. The pilot shall consist of large, medium, and small school districts. The Department of Education shall make the final selection of the pilot districts. The department shall request providers of electronic online libraries for high school students to submit proposals for conducting the pilots which include, but are not limited to, complete (cover to cover) books and staff development activities for teachers utilizing the pilot. Representatives of the school districts and the department shall provide to the chair of the Senate Ways and Means Committee, the chair of the House Fiscal Council, and the Executive Office of the Governor, by December 31, 2007, a report containing a summary of the pilot project.

Funds for the Tampa Autism Project (TAP) are provided to establish an Autism Education Center of Excellence in an existing or to-be-proposed public charter school in Hillsborough County. The Department of Education shall solicit proposals from qualified public charter school applicants and shall award the grant based on demonstrated academic, operational and financial capability required to successfully provide a high-quality educational environment for children with autism disorder. The Center's operational and instructional personnel shall include professionals with extensive education, training and/or experience in classroom instruction, intensive behavioral therapy of children with autism disorder, as well as speech and occupational therapy. The Center must be located in Hillsborough County and can admit students residing in Hillsborough, Pasco, Pinellas, Sarasota, Manatee and Polk Counties. The grant must be a single grant award made prior to December 31, 2006. The department shall provide to the Legislature by December 31, 2006, a complete summary of the process undertaken to solicit proposals; evaluate applicants; award the grant; and provide a profile of the recipient of the grant.

Funds for the Children's Learning Center - Charter School Level 1 Reader Intensive Improvement Program are provided to demonstrate the combined effect of parental choice and research-based reading instruction in a small rural environment.

117 SPECIAL CATEGORIES GRANTS AND AIDS - EXCEPTIONAL EDUCATION		
FROM GENERAL REVENUE FUND	2,643,604	
FROM EDUCATIONAL AIDS TRUST FUND		2,333,354
118 SPECIAL CATEGORIES FLORIDA SCHOOL FOR THE DEAF AND THE BLIND		
FROM GENERAL REVENUE FUND	38,799,460	
FROM EDUCATIONAL AIDS TRUST FUND		2,455,613
FROM GRANTS AND DONATIONS TRUST FUND		1,693,457

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From the funds in Specific Appropriation 118, $579,000 is provided to contract with the University of Florida for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2007, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2006-2007 fiscal year.

118A SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	27,272	
FROM EDUCATIONAL AIDS TRUST FUND		1,765
FROM GRANTS AND DONATIONS TRUST FUND		1,217
TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP		
FROM GENERAL REVENUE FUND	166,454,385	
FROM TRUST FUNDS		321,798,928
TOTAL ALL FUNDS		488,253,313
PROGRAM: FEDERAL GRANTS K/12 PROGRAM		
119 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS		
FROM GRANTS AND DONATIONS TRUST FUND		4,099,420
120 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FEDERAL GRANTS AND AIDS		
FROM EDUCATIONAL AIDS TRUST FUND		1512,912,755
121 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM		
FROM FOOD AND NUTRITION SERVICES TRUST FUND		550,750,000
122 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH		
FROM GENERAL REVENUE FUND	16,886,046	

Funds provided in Specific Appropriation 122 for the School Breakfast Program shall be allocated as provided in section 1006.06, Florida Statutes.

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM		
FROM GENERAL REVENUE FUND	16,886,046	
FROM TRUST FUNDS		2067,762,175
TOTAL ALL FUNDS		2084,648,221
PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES		
123 SPECIAL CATEGORIES CAPITOL TECHNICAL CENTER		
FROM GENERAL REVENUE FUND	90,944	
124 SPECIAL CATEGORIES GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY		
FROM GENERAL REVENUE FUND	3,214,290	
FROM PRINCIPAL STATE SCHOOL TRUST FUND		250,000

Funds provided in Specific Appropriation 124 shall be allocated as follows:

Web-Based Instruction Programs - NEFEC	1,000,000
On-line Support for Sunshine State Standards/FCAT Explorer	2,000,000
WPPB-TV BECON Educational Programming	250,000
Statewide Licensing of Video Instructional Programming	214,290

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The funds for Web-Based Instruction Programs - NEFEC are provided to the Northeast Florida Education Consortium for a web-based instructional program that meets the Sunshine State Standards. This program may operate as a dropout recovery program for students who have been suspended or expelled from school or as a summer school program.

125 SPECIAL CATEGORIES
FEDERAL EQUIPMENT MATCHING GRANT
FROM GENERAL REVENUE FUND 1,142,090

126 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA INFORMATION
RESOURCE NETWORK
FROM GENERAL REVENUE FUND 8,840,349
FROM EDUCATIONAL AIDS TRUST FUND 9,969,231

The funds provided in Specific Appropriation 126 shall be used to continue the Florida Information Resource Network (FIRN) and shall be used for no other purpose.

127 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 11,937,414

The funds provided in Specific Appropriation 127 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming.....	639,667
Florida Channel Closed Captioning.....	438,250
Florida Channel Year Round Coverage.....	1,680,000
Public Television and Radio Stations.....	9,067,552
WDNA Community Public Radio.....	111,945

From the funds provided in Specific Appropriation 127, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

Funds provided in Specific Appropriation 127 for public television and radio stations shall be allocated in the amount of $585,559 each for public television stations and $111,945 each for public radio stations recommended by the Commissioner of Education.

128 SPECIAL CATEGORIES
FETPIP/WORKFORCE DEVELOPMENT MANAGEMENT
INFORMATION SYSTEMS
FROM GENERAL REVENUE FUND 190,000

129 SPECIAL CATEGORIES
GRANTS AND AIDS - RADIO READING SERVICES
FOR THE BLIND
FROM GENERAL REVENUE FUND 407,914

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
FROM GENERAL REVENUE FUND 25,823,001
FROM TRUST FUNDS 10,219,231

TOTAL ALL FUNDS 36,042,232

PROGRAM: WORKFORCE EDUCATION

130 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 5,000,000
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 4,000,000

The funds provided in Specific Appropriation 130 shall be allocated as follows:

Alachua.....	33,180
Baker.....	6,005
Bay.....	91,053
Bradford.....	25,654
Brevard.....	91,453
Broward.....	1,171,641
Calhoun.....	2,539
Charlotte.....	88,993
Citrus.....	99,658
Clay.....	34,565
Collier.....	135,480
Columbia.....	13,174
Miami-Dade.....	1,935,579
De Soto.....	16,757
Dixie.....	4,774
Duval.....	0
Escambia.....	111,461
Flagler.....	56,231
Franklin.....	616
Gadsden.....	11,857
Gilchrist.....	0
Glades.....	462
Gulf.....	2,453
Hamilton.....	2,036
Hardee.....	3,129
Hendry.....	8,112
Hernando.....	21,257
Highlands.....	0
Hillsborough.....	961,041
Holmes.....	0
Indian River.....	35,890
Jackson.....	11,374
Jefferson.....	2,161
Lafayette.....	2,240
Lake.....	131,492
Lee.....	241,427
Leon.....	137,479
Levy.....	0
Liberty.....	3,752
Madison.....	0
Manatee.....	200,495
Marion.....	123,867
Martin.....	64,051
Monroe.....	10,183
Nassau.....	9,897
Okaloosa.....	50,796
Okeechobee.....	0
Orange.....	771,418
Osceola.....	115,497
Palm Beach.....	443,995
Pasco.....	116,037
Pinellas.....	744,003
Polk.....	247,822
Putnam.....	21,639
St. Johns.....	139,044
St. Lucie.....	0
Santa Rosa.....	47,259
Sarasota.....	177,833
Seminole.....	0
Sumter.....	7,311
Suwannee.....	45,177
Taylor.....	57,567
Union.....	3,686
Volusia.....	0
Wakulla.....	14,984
Walton.....	7,728
Washington.....	84,512
Washington Special.....	224

131 AID TO LOCAL GOVERNMENTS
CRITICAL JOBS INITIATIVE
FROM GENERAL REVENUE FUND 3,000,000
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 5,610,927

The funds provided in Specific Appropriation 131 shall be allocated as follows:

SUCCEED, Florida - Career Paths - New Academies.....	3,460,927
SUCCEED, Florida - Career Paths - Recipients of fiscal	

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year 2005-06 funds	2,100,000
DOE Grants Management	50,000
Charter Technical Center Matching Grants	3,000,000

The funds allocated to SUCCEED, Florida - Career Paths - New Academies are provided for public schools, public school regional consortia, school district operated career centers, or the Florida Virtual School to establish secondary career and professional (CAP) academies that integrate academic and career curricula through a career-based theme. CAP academies must: 1) provide instruction in careers designated as high growth, high demand, and high pay by the local workforce development board, chamber of commerce, or the Agency for Workforce Innovation; 2) establish partnerships with one or more businesses, industries, industry economic development agencies, or postsecondary institutions to provide the highest available level of industry certification and maximum articulation of postsecondary credits or occupational completion points; 3) provide student advisement, including parent participation and coordination with middle schools; 4) provide career education certification pursuant to section 1003.431, Florida Statutes; and 5) include an evaluation plan and reporting mechanism developed jointly with the Department of Education that includes a self-assessment tool and outcome measures. The Department of Education shall establish application procedures, guidelines, and timelines for implementation of the program. Funds may not supplant current funding and must be used to establish new career and professional academies or to redesign existing career education programs to become CAP academies.

Funds allocated to prior recipients of SUCCEED, Florida - Career Paths funds in the 2005-2006 fiscal year shall be distributed based on each recipients proportion of the 2005-06 funds.

Funds allocated to Charter Technical Center Matching Grants are provided for competitive matching grants for municipal and private-sector partnerships to create one or more charter technical centers that address workforce shortages in the counties they serve. The Department of Education shall issue a Request for Proposals; evaluate responses based on criteria delineated in the request; and select one or more entities to receive funds to create one or more charter technical centers.

132 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM EDUCATIONAL AIDS TRUST FUND 41,552,472

133 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 410,833,922

Funds provided in Specific Appropriation 133 are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated as follows:

Alachua	1,441,550
Baker	191,468
Bay	3,609,548
Bradford	976,779
Brevard	3,008,401
Broward	70,233,154
Calhoun	187,429
Charlotte	2,998,543
Citrus	2,817,606
Clay	997,995
Collier	7,293,805
Columbia	346,782
Miami-Dade	103,235,432
DeSoto	936,362
Dixie	66,513
Duval	0
Escambia	5,320,732
Flagler	2,729,586
Franklin	60,133
Gadsden	673,452
Gilchrist	3,505

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Glades	7,666
Gulf	173,208
Hamilton	78,007
Hardee	303,492
Hendry	437,884
Hernando	527,111
Highlands	0
Hillsborough	34,163,440
Holmes	0
Indian River	919,667
Jackson	562,270
Jefferson	197,427
Lafayette	46,115
Lake	4,810,438
Lee	11,166,185
Leon	6,119,771
Levy	0
Liberty	25,747
Madison	0
Manatee	6,965,801
Marion	3,214,839
Martin	2,321,789
Monroe	815,833
Nassau	185,568
Okaloosa	2,565,117
Okeechobee	0
Orange	35,772,214
Osceola	4,901,739
Palm Beach	16,110,197
Pasco	3,715,120
Pinellas	27,478,625
Polk	11,680,802
Putnam	449,699
Saint Johns	6,436,483
Saint Lucie	0
Santa Rosa	1,845,315
Sarasota	10,548,720
Seminole	0
Sumter	284,491
Suwannee	1,058,586
Taylor	1,500,494
Union	173,676
Volusia	0
Wakulla	296,116
Walton	121,862
Washington	3,501,186
Washington Special	22,447

From the funds in Specific Appropriation 133, $2,000,0000 is provided for competitive grants to enhance the training and production of skilled individuals to support the construction industry in Florida, of which $200,000 shall be used to give priority to rural communities in which minorities comprise a majority of the population. These funds shall only be used for new or expanded apprenticeship programs and shall not supplant funds provided for apprenticeship programs in the 2005-2006 fiscal year. The Department of Education shall establish competitive bid criteria and requirements for grant contracts and shall solicit proposals from local education agencies, construction trade associations, registered apprenticeship organizations, and private postsecondary institutions with demonstrated experience in providing education in the skilled construction trades for the use of these funds. The funds must be used to fund proposals which enhance existing programs or establish new programs to produce more trained workers. Grant recipients must agree to maintain the level of support for training in the skilled construction trades which was provided during the 2005-2006 fiscal year. Criteria for awarding grants shall include: the degree to which proposals address deficiencies in skilled construction workers in a particular area; the applicant's history of working successfully and cooperatively with the industry; the applicant's history of successfully placing trained workers in high wage jobs; the applicant's willingness to enroll black males, ex-offenders, and single mothers with children; and the cost-effectiveness of the proposal. These grant funds shall be included in and become a part of the districts' 2006-2007 fiscal year base funding to which any future funding shall be added.

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From the funds provided in Specific Appropriation 133, $200,000 shall be provided for the Belle Glade Apprenticeship Program.

School districts shall increase the established workforce education resident and non-resident tuition fees specified in section 1009.22, Florida Statutes, by 2.5 percent.

Pursuant to the provisions of section 1009.26 (1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

The funds provided in Specific Appropriation 133 are not to be used to support K-12 programs or the district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

134 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM EDUCATIONAL AIDS TRUST FUND 77,144,852

135A SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND 13,250,000

Funds in Specific Appropriation 135A are provided to implement the Ready to Work Initiative. The initiative is to use pre and post assessments to identify specific skills that indicate a competence level to enter a specific occupation and to provide targeted instruction in the specific skills for which a student has not demonstrated mastery. Upon successful completion of the assessments and instruction, the student is to be provided a credential to inform prospective employers that he or she has demonstrated the skills required for employment in a single occupation or range of occupations. Instruction must be Internet and print based, be designed to address specific skill deficiencies identified in the assessment, and include contextual courseware for all career clusters identified by the U.S. Department of Labor. Instructors may revise the instruction for additional content for employer-identified needs. The assessment provider and curriculum provider selected shall have extensive experience in the implementation of statewide career readiness certification initiatives in multiple states.

The Ready to Work Initiative may be conducted in public schools, regional education consortia, community colleges, area technical centers, one-stop career centers, vocational rehabilitation centers, Department of Juvenile Justice programs and may be made available to other entities that provide job training. The Department of Education shall establish institutional readiness criteria for program implementation and shall coordinate with the Agency for Workforce Innovation to implement the initiative. Up to $5,000,000 may be allocated for the purchase of a bank of assessments for use by participating educational entities and $250,000 shall be utilized by the department for statewide coordination, support, and data collection activities. The balance of the funds are provided to support the curriculum component which shall be under contract no later than August 1, 2006.

135B SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 700,000

From the funds in Specific Appropriation 135B, $200,000 is provided for the SABER Nursing Program.

From the funds provided in Specific Appropriation 135B, $500,000 shall be used by the department to support school-to-career transition programs for high school students available through one or more non-profit statewide organizations in the food service industry. Such programs shall be designed to prepare students for progressive careers in the food service industry. In making its selection from among competitive sealed proposals, the department shall consider, among other factors, the provider's experience in representing the food service industry, the provider's experience in providing and supporting food service training for high school students, and the provider's ability to provide a statewide program with broad industry support and participation.

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 432,783,922
FROM TRUST FUNDS 128,308,251

TOTAL ALL FUNDS 561,092,173

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

136 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 18,075,996

Funds in Specific Appropriation 136 are provided as performance incentive awards, and shall be distributed as follows:

Brevard Community College	767,973
Broward Community College	1,481,944
Central Florida Community College	286,353
Chipola College	131,208
Daytona Beach Community College	707,284
Edison Community College	411,381
Florida Community College at Jacksonville	1,186,424
Florida Keys Community College	49,724
Gulf Coast Community College	278,086
Hillsborough Community College	894,953
Indian River Community College	658,059
Lake City Community College	191,287
Lake-Sumter Community College	123,821
Manatee Community College	366,044
Miami Dade College	2,496,772
North Florida Community College	68,714
Okaloosa-Walton College	352,456
Palm Beach Community College	1,071,724
Pasco-Hernando Community College	397,096
Pensacola Community College	605,714
Polk Community College	289,699
St. Johns River Community College	213,806
St. Petersburg College	980,409
Santa Fe Community College	769,526
Seminole Community College	629,565
South Florida Community College	143,544
Tallahassee Community College	647,519
Valencia Community College	1,874,911

138 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND 975,572,940

The sum of the technology fee and the average resident tuition specified in section 1009.23(3), Florida Statutes, is hereby established for Fiscal Year 2006-2007 as follows:

Program	Amount Per Credit Hour
Advanced and Professional	$48.91
Postsecondary Vocational	$48.91
College Preparatory	$48.91
Educator Preparatory	$48.91

The sum of the technology fee and the average nonresident tuition specified in section 1009.23(4), Florida Statutes, is hereby established for 2006-2007 as follows:

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Program	Amount Per Credit Hour
Advanced & Professional	$146.80
Postsecondary Vocational	$146.80
College Preparatory	$146.80
Educator Preparatory	$146.80

Community college boards of trustees shall increase established workforce education resident and non-resident tuition fees specified in section 1009.22, Florida Statutes, by 2.5 percent.

The funds in Specific Appropriation 138 shall be allocated as follows:

Brevard Community College	36,385,175
Broward Community College	69,444,883
Central Florida Community College	18,657,091
Chipola College	8,822,744
Daytona Beach Community College	45,220,578
Edison Community College	22,191,691
Florida Community College at Jacksonville	72,725,712
Florida Keys Community College	5,400,233
Gulf Coast Community College	17,075,521
Hillsborough Community College	45,618,083
Indian River Community College	41,162,445
Lake City Community College	11,874,725
Lake-Sumter Community College	9,496,368
Manatee Community College	19,966,120
Miami Dade College	159,069,031
North Florida Community College	7,264,397
Okaloosa-Walton College	16,382,530
Palm Beach Community College	49,077,058
Pasco-Hernando Community College	17,279,853
Pensacola Community College	32,963,357
Polk Community College	17,874,583
St. Johns River Community College	14,201,613
St. Petersburg College	55,575,901
Santa Fe Community College	34,104,606
Seminole Community College	32,787,404
South Florida Community College	14,699,834
Tallahassee Community College	27,551,220
Valencia Community College	58,310,758
College Center for Library Automation	13,389,426

No funds in Specific Appropriation 138 are provided for instruction of state or federal inmates.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, community colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, community colleges may grant out-of-state fee waivers on a temporary basis for the 2006-07 academic year to those students who originally enrolled in a Florida community college under the provisions of Executive Order 05-176 and who have maintained continuous enrollment since that time.

In compliance with section 1011.84(1)(f), Florida Statutes, from the funds appropriated in Specific Appropriation 138, community colleges shall not report any full-time equivalent (FTE) enrollment for the instruction of students funded in the state grant and aid program for Adults with Disabilities in Specific Appropriation 43.

From the funds in Specific Appropriation 138, $1,000,000 is provided for competitive grants to enhance the training and production of skilled individuals to support the construction industry in Florida, of which $100,000 shall be used to give priority to rural communities in which minorities comprise a majority of the population. These funds shall only be used for new or expanded apprenticeship programs and shall not supplant funds provided for apprenticeship programs in the 2005-2006 fiscal year. The department shall establish competitive bid criteria and requirements for grant contracts and solicit proposals from local education agencies, construction trade associations, registered apprenticeship organizations, and private post secondary institutions with demonstrated experience in providing education in the skilled construction trades for the use of these funds. The funds must be used to fund proposals which enhance existing programs or establish new programs to produce more trained workers. Grant recipients must agree to maintain the level of support for training in the skilled construction trades, which was provided during the 2005-2006 fiscal year. Criteria for awarding grants shall include: the degree to which proposals address deficiencies in skilled construction workers in a particular area; the applicant's history of working successfully and cooperatively with the industry; the applicant's history of successfully placing trained workers in high wage jobs; the applicant's willingness to offer programs in underserved areas; programs that attract black males, single women with children, and ex-offenders; and the cost-effectiveness of the proposal. These grant funds shall be included in and become a part of the colleges 2006-2007 fiscal year base funding to which any future funding shall be added.

139 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
BACCALAUREATE PROGRAMS
FROM GENERAL REVENUE FUND 9,292,578

The funds provided in Specific Appropriation 139 shall be allocated to the following colleges:

Chipola College	662,440
Daytona Beach Community College	150,782
Edison College	56,837
Florida Community College	75,580
Miami Dade College	1,118,582
Okaloosa-Walton College	445,052
St. Petersburg College	6,783,305

The maximum sum of the technology fee and the tuition for baccalaureate programs per credit hour is hereby established for 2006-2007 as follows:

Resident Baccalaureate $ 62.36

Tuition and out of state fees for baccalaureate courses shall be no more than 85 percent of the cost of the tuition and out of state fees at the public university nearest the community college.

Prior to the disbursement of funds in Specific Appropriation 139, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes.

The funds appropriated in Specific Appropriation 139 shall not be expended to support lower division courses and instruction. Lower division college credit courses in community colleges shall be funded and supported in the Community Colleges Program Fund.

139A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROGRAM CHALLENGE GRANTS
FROM GENERAL REVENUE FUND 39,137,887

Funds provided in Specific Appropriation 139A shall be allocated as follows:

Brevard Community College	853,980
Broward Community College	2,278,145
Central Florida Community College	1,445,573
Chipola College	775,681
Daytona Beach Community College	1,453,009
Edison Community College	2,014,134
Florida Community College at Jacksonville	1,659,453
Florida Keys Community College	94,125
Gulf Coast Community College	1,788,591
Hillsborough Community College	993,260
Indian River Community College	5,281,926

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Lake City Community College	493,097
Lake-Sumter Community College	984,646
Manatee Community College	2,460,333
Miami Dade College	6,208,349
North Florida Community College	186,158
Okaloosa-Walton College	549,760
Palm Beach Community College	842,598
Pasco-Hernando Community College	628,560
Pensacola Community College	890,158
Polk Community College	697,799
St. Johns River Community College	522,611
St. Petersburg Community College	1,248,332
Santa Fe Community College	794,302
Seminole Community College	774,865
South Florida Community College	534,790
Tallahassee Community College	1,118,864
Valencia Community College	1,433,788
Foundation for Florida's Community Colleges	131,000

140 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 559,261

141 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 315,397

141A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GENERAL REVENUE FUND 1,325,000

Funds in Specific Appropriation 141A are provided for partial reimbursement of the hurricane deductible of the community college risk management fund.

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM GENERAL REVENUE FUND 1044,279,059

TOTAL ALL FUNDS 1044,279,059

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 142 through 162 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services rendered in accordance with section 216.272, Florida Statutes. The Working Capital Trust Fund shall support 104.0 FTE. The data processing services rendered shall be paid from funds provided in Specific Appropriation 162.

From the funds provided in Specific Appropriations 142 through 162, the Commissioner of Education shall prepare and provide to the chair of the Senate Ways and Means Committee, the chair of the House Fiscal Council, and the Executive Office of the Governor on or before October 1, 2006, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2006-2007 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2006 balance of all unexpended federal indirect cost funds.

Funds provided in Specific Appropriations 142 through 145, 161 and 162 for the State Board of Education are contingent upon the Department of Education continuing to provide support to the Board of Governors for services that are not provided within the funds provided in Specific Appropriations 171 through 175. At a minimum, support services provided to the Board of Governors shall include accounting, printing, computer and internet support, personnel and human resources support, support for accountability initiatives, support for agency inspector general activities, and administrative support as needed for trust funds under the jurisdiction of the Board of Governors.

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From the funds provided in Specific Appropriations 142 through 162, the Department of Education shall develop a Florida Information Resource Network (FIRN) strategic plan. The plan shall identify critical needs; identify strategies and resources to address these needs; specify goals and measurable objectives for the system; specify standards that can be used to evaluate performance in achieving the system's goals and objectives; and provide a contingency plan for funding FIRN in the event it does not receive E-rate discounts in the future.

APPROVED SALARY RATE 56,536,075

142 SALARIES AND BENEFITS POSITIONS 1,255.00

FROM GENERAL REVENUE FUND	24,947,396	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		3,396,084
FROM EDUCATIONAL AIDS TRUST FUND		20,238,358
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		2,215,863
FROM FOOD AND NUTRITION SERVICES TRUST FUND		2,860,589
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		1,096,629
FROM STUDENT LOAN OPERATING TRUST FUND . .		9,399,178
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		614,854
FROM WORKING CAPITAL TRUST FUND		6,105,452

143 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	1,484,898	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		754,188
FROM EDUCATIONAL AIDS TRUST FUND		2,450,860
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		181,632
FROM FOOD AND NUTRITION SERVICES TRUST FUND		648,110
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		196,134
FROM STUDENT LOAN OPERATING TRUST FUND . .		735,517
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		121,101
FROM WORKING CAPITAL TRUST FUND		54,299

144 EXPENSES

FROM GENERAL REVENUE FUND	6,133,791	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		1,177,303
FROM EDUCATIONAL AIDS TRUST FUND		11,413,735
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		846,623
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		233,765
FROM FOOD AND NUTRITION SERVICES TRUST FUND		686,040
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		870,345
FROM STUDENT LOAN OPERATING TRUST FUND . .		3,250,000
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		807,182
FROM WORKING CAPITAL TRUST FUND		1,840,447

From the funds in Specific Appropriation 144, the Commissioner of Education is authorized to contract with a state university to implement the common course numbering system.

145 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	679,818	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		143,440
FROM EDUCATIONAL AIDS TRUST FUND		968,928
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		15,000
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		80,000
FROM FOOD AND NUTRITION SERVICES TRUST FUND		82,438
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		16,375

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FROM STUDENT LOAN OPERATING TRUST FUND . .		438,200
FROM WORKING CAPITAL TRUST FUND		47,921
146 SPECIAL CATEGORIES		
ASSESSMENT AND EVALUATION		
FROM GENERAL REVENUE FUND	51,364,382	
FROM EDUCATIONAL AIDS TRUST FUND		18,738,610
FROM SOPHOMORE LEVEL TEST TRUST FUND . . .		544,691
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		8,647,610
147 SPECIAL CATEGORIES		
COMMISSION FOR INDEPENDENT EDUCATION		
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		1,164,185
148 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	482,127	
149 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM STUDENT LOAN OPERATING TRUST FUND . .		11,149,200
150 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHOICES PRODUCT SALES		
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		400,000
151 SPECIAL CATEGORIES		
TRANSFER TO GRANTS AND DONATIONS TRUST FUND FOR THE FLORIDA ACADEMIC COUNSELING AND TRACKING SYSTEM FOR STUDENTS (FACTS)		
FROM GENERAL REVENUE FUND	4,277,633	
152 SPECIAL CATEGORIES		
LITIGATION EXPENSES		
FROM GENERAL REVENUE FUND	23,029	
153 SPECIAL CATEGORIES		
EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		200,000
154 SPECIAL CATEGORIES		
PROVISION OF CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	375,000	
155 SPECIAL CATEGORIES		
STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM		
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		484,993
156 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	659,132	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		47,135
FROM EDUCATIONAL AIDS TRUST FUND		135,708
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		23,357
FROM FOOD AND NUTRITION SERVICES TRUST FUND		12,887
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		15,061
FROM STUDENT LOAN OPERATING TRUST FUND . .		91,506
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		2,100
FROM WORKING CAPITAL TRUST FUND		47,492
158 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	185,522	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		25,296
FROM EDUCATIONAL AIDS TRUST FUND		150,744
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		16,505
FROM FOOD AND NUTRITION SERVICES TRUST FUND		21,307
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		8,168
FROM STUDENT LOAN OPERATING TRUST FUND . .		70,009
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		4,580
FROM WORKING CAPITAL TRUST FUND		45,476
159 SPECIAL CATEGORIES		
CENTRALIZED TECHNOLOGY RESOURCES		
FROM WORKING CAPITAL TRUST FUND		650,900
160 SPECIAL CATEGORIES		
EDUCATION DATA WAREHOUSE		
FROM GENERAL REVENUE FUND	1,000,000	
161 DATA PROCESSING SERVICES		
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM		
FROM GENERAL REVENUE FUND	1,897,050	
FROM EDUCATIONAL AIDS TRUST FUND		139,537
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		2,669
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		779,698
FROM FOOD AND NUTRITION SERVICES TRUST FUND		2,183
FROM STUDENT LOAN OPERATING TRUST FUND . .		508,000

Funds provided in Specific Appropriations 67 and 161 to be paid to the Northwest Regional Data Center by the Department of Education for services rendered shall be contingent upon the submittal by the policy board and management team of the data center of a report, no later than September 30, 2006, to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council that contains a comparison of the rates charged for Fiscal Years 2004-2005 and 2005-2006 to the proposed rates for Fiscal Year 2006-2007, itemization of overhead and administrative charges, a description of how rates are determined and approved, and how, if applicable, any rate rebates are implemented.

162 DATA PROCESSING SERVICES		
EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	3,618,156	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		604,387
FROM EDUCATIONAL AIDS TRUST FUND		2,909,737
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		591,714
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		343,321
FROM FOOD AND NUTRITION SERVICES TRUST FUND		127,080
FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		29,075
FROM STUDENT LOAN OPERATING TRUST FUND . .		84,430
FROM PROJECTS, CONTRACTS AND GRANTS TRUST FUND		69,717
TOTAL: STATE BOARD OF EDUCATION		
FROM GENERAL REVENUE FUND	97,127,934	
FROM TRUST FUNDS		122,875,658
TOTAL POSITIONS	1,255.00	
TOTAL ALL FUNDS		220,003,592

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APPROPRIATION
UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 20 through 25 and 164 through 169A are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

Funds provided in Specific Appropriations 20 through 25 and 164 through 168 are contingent upon each university and university direct support organization following the debt management policy as adopted by the Board of Governors on January 26, 2006, and the Debt Management Guidelines as adopted by the Board of Governors on April 27, 2006, for the financing of any fixed capital outlay project through any financing mechanism, including but not limited to, revenue bonds, promissory notes, certificates of participation, lease-purchase agreements or any other form of indebtedness. Only the assets and revenues specified in the Board of Governors Debt Management Guidelines shall be permitted as security for any form of indebtedness, including certificates of participation, and shall be subject to all limitations or exceptions contained in the Board of Governors' policy and Debt Management Guidelines. Any assets or revenue sources validly pledged to secure debt pursuant to this section shall remain as security for such debt through the maturity date. The requirement that all university and direct support organization debt adhere to the Board of Governors' policy and guidelines shall apply prospectively to all university and direct support organization debt, and shall not adversely affect any university or direct support organization debt currently outstanding or projects approved by the Board of Governors or University Boards of Trustees prior to, or existing, as of January 26, 2006.

162A AID TO LOCAL GOVERNMENTS
CRITICAL JOBS INITIATIVE
FROM GENERAL REVENUE FUND 8,850,000

Funds in Specific Appropriation 162A are allocated in Specific Appropriation 16.

163 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MOFFITT CANCER CENTER
AND RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 18,440,335

Funds in Specific Appropriation 163 are provided to continue funding to the H. Lee Moffitt Cancer Center and Research Institute. These funds may be used as state matching funds for Moffitt's participation in the Low Income Pool, which provides payments to hospitals providing enhanced services to low-income individuals. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research in cancer center operations.

From the funds in Specific Appropriation 163, $5,000,000 is provided for the Total Cancer Care program.

164 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL
ACTIVITIES
FROM GENERAL REVENUE FUND 1775,941,713
FROM EDUCATION AND GENERAL STUDENT AND
OTHER FEES TRUST FUND 896,378,814
FROM PHOSPHATE RESEARCH TRUST FUND 6,910,085

The appropriations provided in Specific Appropriations 164, 166, 167, and 168 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2006-2007 fiscal year to the named universities to expend tuition and fees that are collected during the 2006-2007 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes. If a court of competent jurisdiction finds that the restriction above is invalid, the appropriation made by section 1011.4106, Florida Statutes, is hereby repealed for the 2006-2007 fiscal year and the monies described in that section shall be deposited in the state treasury for expenditure only pursuant to appropriations made by law.

General revenue funds provided in Specific Appropriations 164 through 168 to each of the named universities are contingent upon each university complying with the tuition and fee policies established in the proviso language attached to Specific Appropriation 164, and with the tuition and fee policies for state universities included in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 20 through 25 and 164 through 169 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

Funds in Specific Appropriation 164 from the General Revenue Fund shall be allocated as follows:

University of Florida	356,159,979
Florida State University	275,156,446
Florida A&M University	110,951,980
University of South Florida	216,440,825
University of South Florida, St. Petersburg	26,608,768
University of South Florida, Sarasota/Manatee	12,854,924
Florida Atlantic University	153,664,915
University of West Florida	64,696,726
University of Central Florida	237,479,451
Florida International University	188,031,784
University of North Florida	76,765,140
Florida Gulf Coast University	41,676,999
New College of Florida	15,453,776

From the General Revenue funds allocated to Florida A&M University in Specific Appropriation 164, $750,000 is provided for the Professional Opportunity Program for Students (POPS). These funds shall be used to serve students in the Hillsborough, Orange, Osceola, Pinellas, Polk, Seminole, and Volusia County School Districts.

Funds in Specific Appropriation 164 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida	176,679,302
Florida State University	136,388,597
Florida A&M University	56,427,269
University of South Florida	104,864,021
University of South Florida, St. Petersburg	6,461,457
University of South Florida, Sarasota/Manatee	2,375,062
Florida Atlantic University	71,191,164
University of West Florida	25,675,589
University of Central Florida	132,092,404
Florida International University	113,195,785
University of North Florida	43,104,351
Florida Gulf Coast University	23,677,028
New College of Florida	4,246,785

Funds provided in Specific Appropriation 164 shall not be used by the University of Central Florida to create, expand, further, or otherwise fund directly or indirectly any non-accredited graduate degree or certificate program associated with Project E or the Florida Interactive Entertainment Academy but may only be used on programs accredited by the Southern Association of Colleges and Schools.

Funds in Specific Appropriation 164 from the Phosphate Research Trust Fund are provided for the University of South Florida.

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Funds in Specific Appropriation 164 are based upon the following full-time equivalent (FTE) enrollment:

Lower Level	66,546
Upper Level	87,497
Graduate	32,041
Total	186,084

Funding for each university is based upon the following full-time equivalent (FTE) enrollment:

University of Florida;	
Lower Level	11,394
Upper Level	13,465
Graduate	9,312
Total	34,171
Florida State University;	
Lower Level	9,946
Upper Level	11,356
Graduate	5,414
Total	26,716
Florida Agricultural & Mechanical University;	
Lower Level	4,235
Upper Level	3,604
Graduate	1,440
Total	9,279
University of South Florida;	
Lower Level	9,542
Upper Level	13,167
Graduate	4,154
Total	26,863
Florida Atlantic University;	
Lower Level	4,667
Upper Level	8,162
Graduate	2,155
Total	14,984
University of West Florida;	
Lower Level	2,074
Upper Level	3,400
Graduate	692
Total	6,166
University of Central Florida;	
Lower Level	10,492
Upper Level	14,709
Graduate	3,820
Total	29,021
Florida International University;	
Lower Level	8,279
Upper Level	12,118
Graduate	3,598
Total	23,995
University of North Florida;	
Lower Level	3,880
Upper Level	5,090
Graduate	950
Total	9,920
Florida Gulf Coast University;	
Lower Level	1,852
Upper Level	1,963
Graduate	506
Total	4,321
New College;	
Lower Level	185

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Upper Level	463
Total	648

From the funds provided in Specific Appropriations 20, 22, 164, and 166 each university may shift enrollment by level in a manner which is revenue neutral, but shall not increase the number of lower level FTEs. For planning and enrollment shifting purposes, the University of South Florida may combine lower, upper, and graduate FTE identified in Specific Appropriations 164 and 166.

The Chancellor of the Board of Governors shall submit a revised 5-year state university enrollment plan by lower, upper, graduate I and graduate II levels, by university, to the Florida Board of Governors by September 1, 2006. This revised 5-year enrollment plan must be developed with input from each state university. The State Board of Education shall include funding recommendations in its Fiscal Year 2007-2008 Legislative Budget Request to implement the revised 5-year state university enrollment plan.

The enrollment policy adopted by the Legislature does not limit the number of students admitted from out-of-state under the profile admissions policy; however, no state university may receive general revenue funding associated with the enrollment of out-of-state students admitted under this policy. For the purposes of implementing this policy, the Chancellor shall segregate these FTEs and not count them toward the 2006-2007 enrollment plan for the State University System.

The maximum resident undergraduate tuition per credit hour is hereby established for the 2006-2007 fiscal year as follows:

	2006 Summer Term	2006-2007 Fall/Spring Terms
Lower Level Coursework	$ 71.57	$ 73.71
Upper Level Coursework	$ 71.57	$ 73.71

Except as otherwise provided by law, each board of trustees shall set university tuition and fees for graduate, graduate professional, and nonresident students. The annual percentage increase in tuition and fees established by each board of trustees pursuant to this paragraph for students enrolled prior to the fall of 2006 shall not exceed five percent. The annual percentage increase in tuition and fees established by each board of trustees pursuant to this paragraph for students enrolled after the fall of 2006 shall not exceed ten percent. Tuition and out of state fees for nonresident students may not be lower than the rates in effect for the 2005-2006 fiscal year.

Each university board of trustees is authorized to waive tuition and out-of-state fees for purposes which support and enhance the mission of the university. All fee waivers must be based on policies which are adopted by university boards of trustees. Each university shall report the purpose, number, and value of all fee waivers granted annually in a format which shall be prescribed and reviewed by the Florida Board of Governors.

Each university board of trustees is authorized to grant out-of-state fee waivers on a temporary basis for the 2006-07 academic year to those students who originally enrolled in a state university under the provisions of Executive Order 05-176 and who have maintained continuous enrollment since that time.

Funds provided in Specific Appropriation 164 for the University of Florida include no more than that amount which the State Board of Education and the City of Gainesville agree represents the cost of service for water provided by the city to the University of Florida. The amount charged shall reflect a cost-based rate only and shall be determined through a cost of service study completed annually by the city and reviewed by the university. The costs of any General Fund transfer to the City of Gainesville from Gainesville Regional Utilities or any profit to the city or utility shall be specifically excluded as costs allocable to the university. The cost-based rate shall include charges for only those water services actually provided by the city to the university and shall not include charges for services furnished by the university.

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In order to provide New College and USF Sarasota/Manatee with sufficient up-front operating capital to support shared services functions and to eliminate the significant current accounting inefficiencies, a total of $5,000,000 from the funds in Specific Appropriation 164 shall be released in equal amounts to New College and USF/USF Sarasota-Manatee as part of the first cash distribution in the fiscal year. The remaining appropriated funds for these two institutions shall be distributed in accordance with normal release protocol, beginning with the first cash distribution in the fiscal year. New College and USF/USF Sarasota-Manatee are authorized to make lump sum budget transfers between the two institutions, as appropriate, to facilitate management of shared services.

Funds in Specific Appropriation 164 include $3,067,000 to expand the number of Ph.D., Masters, and post-Masters graduates in nursing as reflected in the funded enrollments for the affected universities. These universities shall report on progress relating to numbers of new students admitted in post-graduate nursing programs and the projected time-line for completion to the Board of Governors and the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by February 1, 2007. Students enrolled in post-graduate nursing programs at universities receiving these funds shall commit to practice in Florida for at least three years, and agree to repay any tuition or stipends provided by these universities for failure to comply with this commitment.

165 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM GENERAL REVENUE FUND 128,767,607

From the funds in Specific Appropriation 165 and any other funds available to the state university system, there shall be no expenditures made pursuant to the consent order, effective April 15, 1986, and amended on June 8, 1987, and as subsequently amended by the joint plan submitted by the Chancellor and the Secretary of the Department of Environmental Protection on October 1, 1993, between the Institute of Food and Agricultural Sciences and the Department of Environmental Protection; provided; however, that funds from the Water Quality Assurance Trust Fund provided specifically for site investigation and clean-up activities may continue to be spent for that purpose.

166 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM GENERAL REVENUE FUND 60,810,613
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 19,828,505

Funds in Specific Appropriation 166 are based upon the following total full-time equivalent enrollment:

Lower Level	107
Upper Level	521
Graduate	747
M.D.	480

Funds provided in Specific Appropriation 166 include $507,500 to expand the number of Ph.D., Masters and post-Masters graduates in nursing as reflected in the funded enrollment for the University of South Florida-Health Science Center. The University shall report on progress relating to numbers of new students admitted in post-graduate nursing programs and the projected time-line for completion to the Board of Governors and the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by February 1, 2007. Students enrolled in post-graduate nursing programs at the University of South Florida-Health Science Center shall commit to practice in Florida for at least three years, and agree to repay any tuition or stipends provided for failure to comply with this commitment.

167 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM GENERAL REVENUE FUND 97,164,488
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 19,191,627

Funds in Specific Appropriation 167 are based upon the following total full-time equivalent enrollment:

Dentistry	330
Veterinary Medicine	342
M.D.	511

168 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 43,871,509
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 7,234,372

Funds in Specific Appropriation 168 are based upon the following full-time equivalent enrollment:

M.D.	321

169 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE
FROM GENERAL REVENUE FUND 20,229,207

A minimum of 71 percent of the funds provided in Specific Appropriation 169 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 169 shall be allocated as follows:

University of Florida	4,922,123
Florida State University	4,158,006
Florida A&M University	1,769,020
University of South Florida	2,411,988
Florida Atlantic University	1,132,259
University of West Florida	446,963
University of Central Florida	2,431,925
Florida International University	1,531,744
University of North Florida	568,227
Florida Gulf Coast University	277,849
New College of Florida	579,103

169A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTITUTE FOR HUMAN MACHINE AND COGNITION
FROM GENERAL REVENUE FUND 2,606,848

170 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,817,690
FROM PHOSPHATE RESEARCH TRUST FUND 114,098

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND 2170,500,010
FROM TRUST FUNDS 949,657,501

TOTAL ALL FUNDS 3120,157,511

BOARD OF GOVERNORS

APPROVED SALARY RATE 3,781,953

171 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 4,393,344
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 616,868

The positions included in Specific Appropriation 171 shall report to the Board of Governors.

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172	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	40,114	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		25,567
173	EXPENSES		
	FROM GENERAL REVENUE FUND	1,408,322	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		296,859
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,429
174	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	52,186	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		950
175	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	22,126	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		3,116
TOTAL:	BOARD OF GOVERNORS		
	FROM GENERAL REVENUE FUND	5,916,092	
	FROM TRUST FUNDS		969,789
	TOTAL POSITIONS	63.00	
	TOTAL ALL FUNDS		6,885,881
	TOTAL OF SECTION 2 POSITIONS	2,637.50	
	FROM GENERAL REVENUE FUND	14137,070,542	
	FROM TRUST FUNDS		7455,024,342
	TOTAL ALL FUNDS		21592,094,884

SECTION 3 - HUMAN SERVICES

The monies contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Family Services, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

APPROVED SALARY RATE 14,540,488

176	SALARIES AND BENEFITS POSITIONS	315.00	
	FROM GENERAL REVENUE FUND	4,235,530	
	FROM HEALTH CARE TRUST FUND		10,751,783
	FROM ADMINISTRATIVE TRUST FUND		3,334,961
177	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	200,830	
	FROM HEALTH CARE TRUST FUND		430,857
	FROM ADMINISTRATIVE TRUST FUND		369,181
178	EXPENSES		
	FROM GENERAL REVENUE FUND	1,499,545	
	FROM HEALTH CARE TRUST FUND		4,352,482
	FROM ADMINISTRATIVE TRUST FUND		1,399,075
179	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	229,961	
	FROM HEALTH CARE TRUST FUND		473,201
	FROM ADMINISTRATIVE TRUST FUND		537,352

SECTION 3
SPECIFIC
APPROPRIATION

180	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	263,275	
	FROM HEALTH CARE TRUST FUND		262,110
	FROM ADMINISTRATIVE TRUST FUND		15,825
181	SPECIAL CATEGORIES		
	GRANTS AND AIDS: FLORIDA HEALTH INFORMATION NETWORK GRANTS		
	FROM GENERAL REVENUE FUND	2,000,000	
182	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	25,143	
	FROM HEALTH CARE TRUST FUND		146,098
	FROM ADMINISTRATIVE TRUST FUND		21,160
183	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	28,918	
	FROM HEALTH CARE TRUST FUND		76,797
	FROM ADMINISTRATIVE TRUST FUND		23,821
184	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM HEALTH CARE TRUST FUND		390,603
	FROM ADMINISTRATIVE TRUST FUND		23,840
TOTAL:	PROGRAM: ADMINISTRATION AND SUPPORT		
	FROM GENERAL REVENUE FUND	8,483,202	
	FROM TRUST FUNDS		22,609,146
	TOTAL POSITIONS	315.00	
	TOTAL ALL FUNDS		31,092,348

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 185 through 189 are provided to operate the Florida KidCare Program. The Executive Office of the Governor may authorize transfer of these resources between programs or agencies pursuant to chapter 216, Florida Statutes, based on projections from the Social Services Estimating Conference.

185	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION		
	FROM TOBACCO SETTLEMENT TRUST FUND		60,121,104
	FROM MEDICAL CARE TRUST FUND		148,288,997

Funds in Specific Appropriations 185 and 187 are provided to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds and up to $1,900,000 from corporate cash reserves to serve children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2005-2006 to provide premium assistance for non-Title XXI children based on a formula developed by the corporation.

186	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	412,186	
	FROM TOBACCO SETTLEMENT TRUST FUND		704,548
	FROM MEDICAL CARE TRUST FUND		2,754,431
186A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES -		

SECTION 3
SPECIFIC
APPROPRIATION

FLORIDA HEALTHY KIDS ADMINISTRATION

FROM GENERAL REVENUE FUND	1,000,000	
FROM TOBACCO SETTLEMENT TRUST FUND		3,946,147
FROM MEDICAL CARE TRUST FUND		9,733,190

Funds in Specific Appropriation 186A are provided for KidCare program administration and related eligibility enhancements.

From the funds in Specific Appropriation 186A, $1,000,000 of non-recurring general revenue funds are provided to the Florida Healthy Kids Corporation for a KidCare community-based marketing and outreach matching grant program.

187 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS
CORPORATION DENTAL SERVICES

FROM GENERAL REVENUE FUND	7,858,392	
FROM MEDICAL CARE TRUST FUND		19,382,761

Funds in Specific Appropriation 187 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than $12 per member per month.

188 SPECIAL CATEGORIES
MEDIKIDS

FROM TOBACCO SETTLEMENT TRUST FUND		7,155,438
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,010,960
FROM MEDICAL CARE TRUST FUND		17,648,922

189 SPECIAL CATEGORIES
CHILDREN'S MEDICAL SERVICES NETWORK

FROM GENERAL REVENUE FUND	7,802,463	
FROM TOBACCO SETTLEMENT TRUST FUND		15,619,174
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,016,280
FROM MEDICAL CARE TRUST FUND		57,769,583

TOTAL: CHILDREN'S SPECIAL HEALTH CARE

FROM GENERAL REVENUE FUND	17,073,041	
FROM TRUST FUNDS		346,151,535
TOTAL ALL FUNDS		363,224,576

EXECUTIVE DIRECTION AND SUPPORT SERVICES

Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through Low Income Pool (LIP) provisions and exemptions to hospital Medicaid rate ceilings shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

APPROVED SALARY RATE 30,565,119

190 SALARIES AND BENEFITS POSITIONS 740.50

FROM GENERAL REVENUE FUND	13,456,492	
FROM HEALTH CARE TRUST FUND		331,967
FROM ADMINISTRATIVE TRUST FUND		25,426,679

191 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	1,851,647	
FROM HEALTH CARE TRUST FUND		237,668
FROM ADMINISTRATIVE TRUST FUND		23,751,352

192 EXPENSES

FROM GENERAL REVENUE FUND	4,625,392	
FROM HEALTH CARE TRUST FUND		21,946
FROM ADMINISTRATIVE TRUST FUND		17,774,925
FROM GRANTS AND DONATIONS TRUST FUND . . .		166,857

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From the funds in Specific Appropriations 192 and 196, the agency may continue to contract with the existing provider for the Medicaid wireless handheld drug information database program.

193 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	51,591	
FROM ADMINISTRATIVE TRUST FUND		227,466

193A SPECIAL CATEGORIES
PHARMACEUTICAL EXPENSE ASSISTANCE

FROM GENERAL REVENUE FUND	3,709,408	

From the funds in Specific Appropriation 193A, $3,709,408 from the General Revenue Fund is provided to pay the Medicare Part B coinsurance and deductibles for individuals who are eligible for the new state program.

194 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS

FROM GENERAL REVENUE FUND	127,762	
FROM ADMINISTRATIVE TRUST FUND		127,761

195 SPECIAL CATEGORIES
CONTRACT NURSING HOME AUDIT PROGRAM

FROM GENERAL REVENUE FUND	827,653	
FROM ADMINISTRATIVE TRUST FUND		1,129,095

196 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	14,563,319	
FROM ADMINISTRATIVE TRUST FUND		30,793,984
FROM GRANTS AND DONATIONS TRUST FUND . . .		545,004

From the funds in Specific Appropriations 196 and 198, $3,750,000 from the General Revenue Fund and $6,310,000 from the Administrative Trust Fund are provided for continuation of Medicaid reform activities.

From the Funds in Specific Appropriation 196, $1,500,000 from the General Revenue Fund and $1,500,000 from the Administrative Trust Fund are provided to contract with a disease management provider accredited by the National Committee for Quality Assurance specializing in chronic kidney disease management to implement a chronic kidney disease management program. The agency is authorized to seek the necessary federal waivers to implement this provision.

197 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	600,000	
FROM TOBACCO SETTLEMENT TRUST FUND		300,000

From the funds in Specific Appropriation 197, $600,000 in non-recurring general revenue funds is provided for start-up funding to non-profit organizations that are forming Rural Provider Service Networks to assist them in the development of clinical and administrative infrastructure. These funds may be advanced in accordance with chapter 216.181, Florida Statutes. The agency shall ensure that each funding agreement does not exceed $200,000 and includes specifically defined deliverables and accountability measures.

From the funds in Specific Appropriation 196, up to $200,000 in non-recurring funds from the Tobacco Settlement Trust Fund, subject to private matching funds, is provided to contract with the University of Florida Center for Medicaid and the Uninsured for the creation of the Center for Health Care Racial Disparities within the Center for Medicaid and the Uninsured. The Center for Health Care Racial Disparities shall focus its effort toward the study of racial disparities in access to health care. A portion of the funds will be used to support research conducted by students at Florida A & M University. At no time shall funds provided by the agency exceed those funds that are raised from private sources.

From the funds in Specific Appropriation 197, $100,000 of non-recurring tobacco settlement funds is provided for the development

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of a Federally Qualified Health Center Provider Service Network in Miami-Dade county.

198 SPECIAL CATEGORIES
MEDICAID FISCAL CONTRACT
FROM GENERAL REVENUE FUND 24,028,651
FROM ADMINISTRATIVE TRUST FUND 66,722,901
FROM REFUGEE ASSISTANCE TRUST FUND 123,075

199 SPECIAL CATEGORIES
MEDICAID PEER REVIEW
FROM GENERAL REVENUE FUND 1,093,903
FROM ADMINISTRATIVE TRUST FUND 4,403,348

200 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 230,515
FROM ADMINISTRATIVE TRUST FUND 232,789

201 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 105,421
FROM HEALTH CARE TRUST FUND 2,584
FROM ADMINISTRATIVE TRUST FUND 198,561

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 65,271,754
FROM TRUST FUNDS 172,517,962

TOTAL POSITIONS 740.50
TOTAL ALL FUNDS 237,789,716

MEDICAID SERVICES TO INDIVIDUALS

Funds in Specific Appropriations 201A through 236 may be used to pay the costs of telemedicine coverage. The agency is authorized to seek the necessary federal waivers or an amendment to the Title XIX State Plan to allow coverage of telemedicine services and related communication equipment to improve linkages between health care providers and to increase access to Medicaid services. The Medicaid coverage may be designed to permit limits on services, establish provider qualifications and limit the groups eligible for coverage. The agency may implement this waiver or amendment only after documentation of cost neutrality is provided to and approved by the Legislative Budget Commission. The agency shall submit the necessary federal waivers or plan amendments to the Centers for Medicare and Medicaid Services no later than December 31, 2006.

201A SPECIAL CATEGORIES
ADULT VISION AND HEARING SERVICES
FROM GENERAL REVENUE FUND 4,705,667
FROM MEDICAL CARE TRUST FUND 6,707,533
FROM REFUGEE ASSISTANCE TRUST FUND 345,812

From the funds in Specific Appropriation 201A, $3,806,471 from the General Revenue Fund, $5,425,816 from the Medical Care Trust Fund and $307,456 from the Refugee Assistance Trust Fund are provided to restore Medicaid coverage of adult vision services.

From the funds in Specific Appropriation 201A, $899,196 from the General Revenue Fund, $1,281,717 from the Medical Care Trust Fund, and $38,356 from the Refugee Assistance Trust Fund are provided to restore Medicaid coverage of adult hearing services.

202 SPECIAL CATEGORIES
CASE MANAGEMENT
FROM GENERAL REVENUE FUND 42,915,511
FROM MEDICAL CARE TRUST FUND 61,172,559
FROM REFUGEE ASSISTANCE TRUST FUND 7,516

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203 SPECIAL CATEGORIES
THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 69,886,588
FROM MEDICAL CARE TRUST FUND 121,097,208
FROM REFUGEE ASSISTANCE TRUST FUND 22,828

204 SPECIAL CATEGORIES
COMMUNITY MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 19,845,065
FROM MEDICAL CARE TRUST FUND 31,195,835
FROM REFUGEE ASSISTANCE TRUST FUND 32,890

The agency is authorized to amend the Medicaid State Plan to include the following specialized substance abuse services: community-based outpatient detoxification services, community-based substance abuse intervention services, and comprehensive community support services for substance abuse.

The agency is authorized to work with the Department of Children and Family Services and Florida county governments to develop a local match program to fund these Medicaid specialized substance abuse services using local county tax funding. The public revenue funds required to match the Medicaid funds for these specialized substance abuse services are limited to those funds that are local public tax revenues and are made available to the state for this purpose. As required by Medicaid policy, participating counties shall make these services available to any qualified Florida Medicaid recipient regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.

205 SPECIAL CATEGORIES
ADULT DENTAL SERVICES
FROM GENERAL REVENUE FUND 11,190,187
FROM MEDICAL CARE TRUST FUND 15,950,698
FROM REFUGEE ASSISTANCE TRUST FUND 224,370

Funds in Specific Appropriation 205 reflect an increase of $2,868,173 in the General Revenue Fund, $4,088,348 in the Medical Care Trust Fund, and $49,607 in the Refugee Assistance Trust Fund for Medicaid partial denture services.

206 SPECIAL CATEGORIES
DEVELOPMENTAL EVALUATION AND INTERVENTION/
PART C
FROM MEDICAL CARE TRUST FUND 3,420,201

Funds in Specific Appropriation 206 shall be contingent on the availability of state match being provided in Specific Appropriation 628.

207 SPECIAL CATEGORIES
EARLY AND PERIODIC SCREENING OF CHILDREN
FROM GENERAL REVENUE FUND 53,271,930
FROM MEDICAL CARE TRUST FUND 75,993,692
FROM REFUGEE ASSISTANCE TRUST FUND 108,437

208 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL
ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 1,220,185
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,758,191
FROM MEDICAL CARE TRUST FUND 6,739,811

Funds in Specific Appropriation 208 are provided for a federally matched Rural Hospital Disproportionate Share program and a state-funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

209 SPECIAL CATEGORIES
FAMILY PLANNING
FROM GENERAL REVENUE FUND 884,508
FROM MEDICAL CARE TRUST FUND 7,960,576
FROM REFUGEE ASSISTANCE TRUST FUND 25,910

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210 SPECIAL CATEGORIES
HEALTHY START SERVICES
FROM MEDICAL CARE TRUST FUND 19,384,718

211 SPECIAL CATEGORIES
HOME HEALTH SERVICES
FROM GENERAL REVENUE FUND 77,881,331
FROM MEDICAL CARE TRUST FUND 111,023,648
FROM REFUGEE ASSISTANCE TRUST FUND 164,942

From the funds in Specific Appropriation 211, the agency may implement accreditation requirements for Durable Medical Equipment and Consumable Medical Supply providers.

212 SPECIAL CATEGORIES
HOSPICE SERVICES
FROM GENERAL REVENUE FUND 98,438,197
FROM MEDICAL CARE TRUST FUND 140,315,615

213 SPECIAL CATEGORIES
HOSPITAL INPATIENT SERVICES
FROM GENERAL REVENUE FUND 371,699,255
FROM GRANTS AND DONATIONS TRUST FUND . . . 188,749,432
FROM MEDICAL CARE TRUST FUND 1489,037,479
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND 474,880,000
FROM REFUGEE ASSISTANCE TRUST FUND 2,498,780

From the funds in Specific Appropriation 213, $5,771,200 in non-recurring funds from the General Revenue Fund and $8,226,375 in non-recurring funds from the Medical Care Trust Fund are provided to reimburse hospitals 50 percent of the difference between their current Medicaid inpatient rate and their Medicaid inpatient rate if all ceilings and targets were eliminated. This provision shall only apply to those hospitals not exempt under another section of proviso and whose charity care and Medicaid days, as a percentage of total adjusted hospital days, are less than 11 percent but are equal to or exceed 9.70 percent and are listed below. The only hospitals that will receive additional Medicaid reimbursement under this paragraph of proviso are: Coral Gables Hospital; Manatee Memorial Hospital; Palm Springs General Hospital; Kendall Regional Medical Center; Florida Hospital - Heartland/Walker; South Florida Baptist Hospital; and Naples Community Hospital. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

From the funds in Specific Appropriation 213, $24,421,795 from the Grants and Donations Trust Fund and $34,811,275 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. For any public hospital that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, the public hospital shall be exempt from the inpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

From the funds in Specific Appropriation 213, $1,348,305 from the Grants and Donation Trust Fund and $1,921,900 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

From the funds in Specific Appropriation 213, $35,682,455 from the Grants and Donations Trust Fund and $50,862,428 from the Medical Care Trust Fund are provided to eliminate the inpatient hospital reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2006 and any hospitals that become a designated or provisional trauma center during State Fiscal Year 2006-2007. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

Funds in Specific Appropriation 213 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations is not available to fund the removal of inpatient ceilings for hospitals, the Agency for Health Care Administration shall submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 213, $4,094,963 from the Grants and Donations Trust Fund and $5,837,037 from the Medical Care Trust Fund are provided to make Medicaid payments to hospitals. These payments shall be used to pay approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.

From the funds in Specific Appropriation 213, $101,594,419 from the Grants and Donations Trust Fund and $144,814,553 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the Certificate of Need Program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

From the funds in Specific Appropriation 213, $8,246,000 in non-recurring funds from the Grants and Donations Trust Fund and $11,754,000 in non-recurring funds from the Medical Care Trust Fund may be used for State Fiscal Year 2006-2007 to increase the Medicaid per diem payments for any individual hospital that has 120,000 or more Medicaid fee-for-service paid days. The maximum amount paid shall not exceed the amount appropriated under this provision. This provision is contingent on federal approval of a state plan amendment and the state share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 213, $4,500,000 from the General Revenue Fund and $6,414,383 from the Medical Care Trust Fund are provided to increase the Medicaid hospital property allowance reimbursement rate from 80 to 85 percent. The agency is authorized to revise the Title XIX Hospital Reimbursement Plan(s) as necessary to implement this provision.

Funds in Specific Appropriations 213, 217, 221, 226 and 227 reflect a reduction of $21,383,351 from the General Revenue Fund and $30,480,222 from the Medical Care Trust Fund as a result of increasing managed care enrollment to 65 percent managed care and 35 percent MediPass.

From the funds in Specific Appropriation 213, the agency is authorized to test, on a pilot basis in one or more counties, a specialized, comprehensive obstetrical management program for high-risk pregnancies of Medicaid eligible women. The project may be designed to identify high-risk pregnancies of Medicaid eligible women, improve birth outcomes, and reduce costs associated with complicated pregnancies and pre-term births. The program may include the use of risk assessment, patient education, case management, home nursing visits, home uterine activity monitoring, telemedicine approaches, acuity-based clinical interventions for the management of pre-term labor, diabetes in pregnancy, pregnancy-induced hypertension, nausea and vomiting in pregnancy, and coagulation disorders, 24-hour telephone support, and patient management systems. The agency is authorized to seek federal Medicaid waivers as necessary to implement this program.

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From the funds in Specific Appropriation 213, the Agency for Health Care Administration, within existing resources, may contract with an integrative medical management provider to develop and implement a pilot integrated therapies program to improve the quality of care and cost-effectiveness of the MediPass disease management initiative. The disease management model may use the best practices of conventional and complementary and alternative medicine. The demonstration project shall be for three years from the date of implementation. The agency is authorized to seek federal Medicaid waivers and any state plan amendment necessary to implement this program. The agency shall report annually to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council as to the cost-effectiveness of the pilot. The agency may expand the pilot based on favorable annual progress reports and federal approval.

From the funds in Specific Appropriation 190, $61,382,891 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to fund services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit limits on services, prior authorization of services, and selective provider enrollment. The program must also include monitoring and quality assurance, as well as discharge planning and continuing stay reviews, of all children admitted to the program. The funding is contingent upon the availability of state matching funds in the Department of Children and Family Services in Specific Appropriations 357 and 392.

214 SPECIAL CATEGORIES
REGULAR DISPROPORTIONATE SHARE
FROM GRANTS AND DONATIONS TRUST FUND . . . 82,923,761
FROM MEDICAL CARE TRUST FUND 118,201,054

Funds in Specific Appropriation 214 shall be used for a Disproportionate Share Hospital Program as provided in sections 409.911 and 409.9113, Florida Statutes, and is contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 214, $58,185,761 from the Grants and Donations Trust Fund and $82,939,054 from the Medical Care Trust Fund are provided for payments to public hospitals.

From the funds in Specific Appropriation 214, $19,790,400 from the Grants and Donations Trust Fund and $28,209,600 from the Medical Care Trust Fund are provided for payments to defined statutory teaching hospitals.

From the funds in Specific Appropriation 214, $4,947,600 from the Grants and Donations Trust Fund and $7,052,400 from the Medical Care Trust Fund are provided for payments to the family practice teaching hospitals.

214A SPECIAL CATEGORIES
LOW INCOME POOL
FROM GRANTS AND DONATIONS TRUST FUND . . . 412,300,000
FROM MEDICAL CARE TRUST FUND 587,700,000

From the funds in Specific Appropriation 214A, $13,590,406 from the Grants and Donations Trust Fund and $19,372,015 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program in State Fiscal Year 2003-2004 shall be paid $12,203,921 distributed in the same proportion as the Primary Care DSH payments for State Fiscal Year 2003-2004. Hospitals designated or provisional trauma centers shall be paid $12,375,000. Of this amount, $5,355,000 shall be distributed equally among hospitals that are a Level I trauma center; $4,500,000 shall be distributed equally among hospitals that are either a Level II or pediatric trauma center; and $2,520,000 shall be distributed equally among hospitals that are both a Level II and pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH Program shall be paid $8,383,500 distributed in the same proportion as the DSH payments.

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From the funds in Specific Appropriation 214A, $238,309,400 from the Grants and Donations Trust Fund and $339,690,600 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to public hospitals. Public hospitals receiving local tax support and having 150,000 or more Medicaid and charity care days shall be paid $313,473,121 to be allocated to each hospital based on their percentage of Medicaid and charity care days to the total. Public hospitals or systems receiving local tax support and the hospital or system having less than 150,000 Medicaid and charity care days, but the hospital or system having more than 45,000 Medicaid and charity care days shall be paid $204,526,879. These funds shall be allocated to the hospitals based on their percentage of Medicaid and charity care days to the total for all the hospitals in this group. If a system has more than 65,000 Medicaid and charity care days, then the days for each of their hospitals shall receive a weight of 1.24. Public hospitals or systems receiving local tax support and having less than 45,000 Medicaid and charity care days, but the hospital or system having more than 8,500 Medicaid and charity care days shall be paid $50,000,000. These funds shall be allocated to the hospitals based on their percentage of Medicaid and charity care days to the total for all the hospitals in this group. Public hospitals or systems, except hospitals classified as rural, with no local tax support shall be paid $10,000,000. These funds shall be allocated to each of the hospitals based on each hospital's percentage of Medicaid and charity care days to the total for the hospitals in that group. To determine the Medicaid and charity care days for the allocations described above, the agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available. Payments made under this section of proviso shall be deemed the LIP 1 Medicaid low-income pool payments.

From the funds in Specific Appropriation 214A, $74,214,000 from the Grants and Donations Trust Fund and $105,786,000 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals that receive local government support for health care expenditures for the uninsured or underinsured. To be included in this grouping, the local government must provide a minimum of $1,000,000 in financial support for the hospitals in its political boundary. Payments will be allocated to each of the hospitals based on its percentage of charity care days to the total charity care days for all the hospitals in the group. In allocating the payments, each hospital will be capped at 120 percent of the amount of local funding it would have received from its local government for uninsured and underinsured individuals without the low-income pool program. Any funds that remain unspent after the first allocation shall then be reallocated to the hospitals based on their percentage of charity care days to the total charity care days for the group. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available. Additionally, if there are no audited DSH data for any of the prescribed years, the agency shall use the Medicaid and charity care days from the 2004 Financial Hospital Uniform Reporting System (FHURS) reports. Payments made under this section of proviso shall be deemed the LIP 2 Medicaid low-income pool payments.

From the funds in Specific Appropriation 214A, $33,185,686 from the Grants and Donations Trust Fund and $47,303,488 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals that do not receive local government support for health care expenditures for the uninsured or underinsured or whose local governments provide $1,000,000 or less in support for the uninsured or underinsured. Additionally, to receive funds under this provision, a hospital's Medicaid days, charity care days and 50 percent of bad-debt days divided by the hospital's total days must equal or exceed 10 percent. Payments shall be allocated to hospitals that qualify under this provision based on their percentage of Medicaid days, charity care days and 50 percent of bad-debt days to the total Medicaid days, charity care days and 50 percent of bad-debt days for all the hospitals that qualify under this provision. The agency shall use the 2004 FHURS reports to determine the Medicaid days, charity care days and 50 percent

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of the bad-debt days. Payments made under this section of proviso shall be deemed the LIP 3 Medicaid low-income pool payments. Hospitals who receive Medicaid low-income pool payments from LIP 1 or LIP 2 do not qualify to receive payments under LIP 3.

From the funds in Specific Appropriation 214A, $824,600 from the Grants and Donations Trust Fund and $1,175,400 from the Medical Care Trust Fund are for Medicaid low-income pool payments to specialty pediatric facilities. To qualify for a Medicaid low-income pool payment under this section, a hospital must be licensed as a children's specialty hospital and its combined Medicaid managed care and fee-for-service days as a percentage to total inpatient days must equal or exceed 30 percent. The agency shall use the 2003 Financial Hospital Uniform Reporting System (FHURS) data to determine the combined Medicaid managed care and fee-for-service days. The total Medicaid low-income pool payments made shall be distributed equally to the qualifying hospitals.

From the funds in Specific Appropriation 214A, $43,744,370 from the Grants and Donations Trust Fund and $62,354,030 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals that serve as a safety net in providing emergency, specialized pediatric trauma services and inpatient hospital care to low-income individuals. These amounts shall be paid to the following:

Jackson Memorial Hospital	3,322,365
University Medical Center - Shands	46,121,019
All Children's Hospital	6,637,413
Shands Teaching Hospital	7,703,253
Tampa General Hospital	18,914,451
Orlando Regional Medical Center	5,560,262
Lee Memorial Hospital/CMS	1,200,000
St. Mary's Hospital	291,706
Miami Children's Hospital	5,400,229
Broward General Medical Center	330,366
Tallahassee Memorial Healthcare	54,402
St. Joseph's Hospital	52,835
Florida Hospital	55,072
Baptist Hospital of Pensacola	450,000
Mt. Sinai Medical Center	9,072,075
Bayfront Medical Center	215,975
Sacred Heart Hospital	466,977
Naples Community Hospital	250,000

From the funds in Specific Appropriation 214A, $6,298,400 from the Grants and Donations Trust Fund and $8,977,855 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to Federally Qualified Health Centers. These payments may be used, in collaboration with the Department of Health, to provide funding for hospitals supporting primary care services in medically underserved areas.

From the funds in Specific Appropriation 214A, $824,600 from the Grants and Donations Trust Fund and $1,175,400 from the Medical Care Trust Fund are provided for county health initiatives emphasizing the expansion of primary care services. Of the $2,000,000, $1,000,000 is provided to St. Johns River Rural Health Network to develop and fund Provider Access Systems for Medicaid and the uninsured in rural areas. Of this amount, $600,000 will be designated for use in Baker, Clay and Nassau Counties, the rural component of the pilot for Medicaid Reform. An allocation of $200,000 for Bradford County and $200,000 for Union County will be designated for services to low income, uninsured adults. The remaining $1,000,000 is provided to expand primary care services to low income, uninsured individuals to be allocated as follows: $200,000 to Sarasota county, $200,000 to Charlotte county, $200,000 to Lee county, $200,000 to Okaloosa county and $200,000 to Walton county. Program Specifics will be finalized with consultation of respective county governments. The total low-income pool payments provided in this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 214A, $1,308,537 from the Grants and Donations Trust Fund and $1,865,212 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to

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hospitals. These payments may be used, in collaboration with the Department of Health to provide funding for hospitals providing poison control programs.

The agency may make low-income pool Medicaid payments to hospitals in an accelerated manner that is more frequent than on a quarterly basis, subject to the availability of state, local and federal funds.

The agency is authorized to transfer a hospital's low-income pool payments between the various low-income programs listed in this specific appropriation if it is required to obtain approval of the low-income pool payment methodology from the Centers for Medicare and Medicaid Services. Any transfer of funds, however, is contingent on the hospital's net low-income pool payments under the low-income pool plan remaining unchanged.

In the event that the amount of approved non-federal share of matching funds is not provided by local governmental entities as recommended by the Disproportionate Share Council, the agency may re-allocate low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient non-federal matching funds. No re-allocation, under this provision, of low-income pool funds may occur if the level of program increase for any provider access system exceeds the amount of the additional increases in the local non-federal share match that their local governments transfer to the state Medicaid program, and for which the provider access system would have otherwise received. For the purpose of this paragraph, the increase in low-income pool payments for the provider access system and the increase in non-federal share matching funds shall be calculated as the amount that exceeds the levels used in the Disproportionate Share Council's recommendations.

Funds provided in Specific Appropriation 214A are contingent upon the non-federal share being provided through grants and donations from state, county or other governmental funds. In the event the non-federal share provided through grants and donations is not available to fund the Medicaid low-income payments for eligible Medicaid providers, known as provider access systems, the agency shall submit a revised low-income pool plan to the Legislative Budget Commission for approval.

Distribution of such funds provided in Specific Appropriation 214A are contingent upon approval from the Centers for Medicare and Medicaid Services (CMS). In the event the CMS does not substantially approve the low-income pool distribution methodology, the agency shall coordinate with the Medicaid Low-Income Pool Council and may submit a revised low-income pool plan to the Legislative Budget Commission for approval.

215	SPECIAL CATEGORIES FREESTANDING DIALYSIS CENTERS		
	FROM GENERAL REVENUE FUND	6,873,498	
	FROM MEDICAL CARE TRUST FUND		9,797,611
	FROM REFUGEE ASSISTANCE TRUST FUND		24,203

Funds in Specific Appropriation 215 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to $125.00 per visit for each dialysis treatment.

216	SPECIAL CATEGORIES HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	59,308,314	
	FROM MEDICAL CARE TRUST FUND		84,539,161

217	SPECIAL CATEGORIES HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	208,932,624	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		54,126,114
	FROM MEDICAL CARE TRUST FUND		375,054,587
	FROM REFUGEE ASSISTANCE TRUST FUND		1,319,837

From the funds in Specific Appropriation 217, $702,780 in non-recurring funds from the General Revenue Fund and $1,001,759 in non-recurring funds from the Medical Care Trust Fund are provided to reimburse hospitals 50 percent of the difference between their current Medicaid

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outpatient rate and their Medicaid outpatient rate if all ceilings and targets were eliminated. This provision shall only apply to those hospitals not exempt under another section of proviso and whose charity care and Medicaid days as a percentage of total adjusted hospital days are less than 11 percent but equal or exceed 9.70 percent and are listed below. The only hospitals that will receive additional Medicaid reimbursement under this paragraph of proviso are: Coral Gables Hospital; Manatee Memorial Hospital; Palm Springs General Hospital; Kendall Regional Medical Center; Florida Hospital - Heartland/Walker; South Florida Baptist Hospital; and Naples Community Hospital. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

From the funds in Specific Appropriation 217, $24,381,570 from the Grants and Donations Trust Fund and $34,753,939 from the Medical Care Trust Fund are provided to increase the outpatient cap for adults from $1,000 to $1,500 per year and to eliminate the outpatient reimbursement ceilings for teaching, specialty, Community Health Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

From the funds in Specific Appropriation 217, $3,176,689 from the Grants and Donations Trust Fund and $4,528,113 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. For any public hospital that does not qualify for the elimination of the outpatient ceilings under this provision of proviso or any other proviso listed, the public hospital shall be exempt from the outpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

From the funds in Specific Appropriation 217, $159,677 from the Grants and Donation Trust Fund and $227,607 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

From the funds in Specific Appropriation 217, $4,627,389 from the Grants and Donations Trust Fund and $6,595,966 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2006 or become a designated or provisional trauma center during State Fiscal Year 2006-2007. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 217 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. The agency shall submit a revised hospital outpatient reimbursement plan to the Legislative Budget Commission for approval if the state share is not available to fund the removal of hospital outpatient ceilings or if the Centers for Medicare and Medicaid Services does not approve amendments to the Medicaid Hospital Outpatient Reimbursement Plan to eliminate the reimbursement ceilings for certain hospitals.

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From the funds in Specific Appropriation 217, $6,184,500 from the Grants and Donations Trust Fund and $8,815,500 from the Medical Care Trust Fund are appropriated so that the agency may amend its current rules and contracts regarding the billing of Medicaid outpatient clinic facility fees and physician services to allow for payments to public hospitals for the cost of providing health care services to Medicaid recipients, when the public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to public hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, or taxing districts.

218	SPECIAL CATEGORIES		
	RESPIRATORY THERAPY SERVICES		
	FROM GENERAL REVENUE FUND	2,392,228	
	FROM MEDICAL CARE TRUST FUND		3,410,125
219	SPECIAL CATEGORIES		
	NURSE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND	2,015,750	
	FROM MEDICAL CARE TRUST FUND		2,873,396
	FROM REFUGEE ASSISTANCE TRUST FUND		4,056
220	SPECIAL CATEGORIES		
	BIRTHING CENTER SERVICES		
	FROM GENERAL REVENUE FUND	649,391	
	FROM MEDICAL CARE TRUST FUND		925,654
221	SPECIAL CATEGORIES		
	OTHER LAB AND X-RAY SERVICES		
	FROM GENERAL REVENUE FUND	22,533,032	
	FROM MEDICAL CARE TRUST FUND		32,121,338
	FROM REFUGEE ASSISTANCE TRUST FUND		606,152

From the funds in Specific Appropriation 221, the agency shall continue a program to assess HIV drug resistance for cost-effective management of anti-retroviral drug therapy.

From the funds in Specific Appropriation 221, the agency is authorized to implement a utilization management program for outpatient diagnostic imaging services.

222	SPECIAL CATEGORIES		
	PATIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND	49,802,450	
	FROM MEDICAL CARE TRUST FUND		70,997,291
	FROM REFUGEE ASSISTANCE TRUST FUND		79,653

From the funds in Specific Appropriation 222, $1,448,222 in the General Revenue Fund, $2,064,429 in the Medical Care Trust Fund and $2,707 in the Refugee Assistance Trust Fund are provided to increase payments for non-emergency transportation providers.

223	SPECIAL CATEGORIES		
	PHYSICIAN ASSISTANT SERVICES		
	FROM GENERAL REVENUE FUND	938,696	
	FROM MEDICAL CARE TRUST FUND		1,338,902
	FROM REFUGEE ASSISTANCE TRUST FUND		13,837
224	SPECIAL CATEGORIES		
	PERSONAL CARE SERVICES		
	FROM GENERAL REVENUE FUND	11,086,709	
	FROM MEDICAL CARE TRUST FUND		15,808,431

From the funds in Specific Appropriation 224, $644,278 from the General Revenue Fund and $918,366 from the Medical Care Trust Fund are provided for Prescribed Pediatric Extended Care provider rate increases.

225	SPECIAL CATEGORIES		
	PHYSICAL REHABILITATION THERAPY		
	FROM GENERAL REVENUE FUND	8,640,242	
	FROM MEDICAL CARE TRUST FUND		12,320,197
	FROM REFUGEE ASSISTANCE TRUST FUND		636

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226 SPECIAL CATEGORIES
PHYSICIAN SERVICES

FROM GENERAL REVENUE FUND	234,539,118	
FROM TOBACCO SETTLEMENT TRUST FUND		82,567,697
FROM MEDICAL CARE TRUST FUND		496,169,747
FROM REFUGEE ASSISTANCE TRUST FUND		3,578,969

From the funds in Specific Appropriation 226, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

227 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS

FROM GENERAL REVENUE FUND	386,864,600	
FROM GRANTS AND DONATIONS TRUST FUND . . .		377,929,345
FROM MEDICAL CARE TRUST FUND		551,445,396
FROM REFUGEE ASSISTANCE TRUST FUND		4,418,875

Funds in Specific Appropriation 227 reflect a reduction of $2,515,640 from the General Revenue Fund and $3,584,360 from the Medical Care Trust Fund as a result of expanding the state Maximum Allowable Cost (MAC) program.

228 SPECIAL CATEGORIES
MEDICARE PART D PAYMENT

FROM GENERAL REVENUE FUND	382,772,337	

229 SPECIAL CATEGORIES
PRIVATE DUTY NURSING SERVICES

FROM GENERAL REVENUE FUND	50,661,892	
FROM MEDICAL CARE TRUST FUND		72,235,796

230 SPECIAL CATEGORIES
RURAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	30,206,912	
FROM MEDICAL CARE TRUST FUND		43,079,306
FROM REFUGEE ASSISTANCE TRUST FUND		76,919

231 SPECIAL CATEGORIES
SPEECH THERAPY SERVICES

FROM GENERAL REVENUE FUND	16,144,057	
FROM MEDICAL CARE TRUST FUND		23,016,369
FROM REFUGEE ASSISTANCE TRUST FUND		708

232 SPECIAL CATEGORIES
MEDIPASS SERVICES

FROM GENERAL REVENUE FUND	12,035,193	
FROM MEDICAL CARE TRUST FUND		18,307,938
FROM REFUGEE ASSISTANCE TRUST FUND		100,335

233 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PERINATAL
INTENSIVE CARE CENTER DISPROPORTIONATE
SHARE

FROM GENERAL REVENUE FUND	168,300	

From the funds in Specific Appropriation 233, $168,300 from the General Revenue Fund shall be provided to Lee Memorial Hospital for the Regional Perinatal Intensive Care Center (RPICC) Program.

234 SPECIAL CATEGORIES
SUPPLEMENTAL MEDICAL INSURANCE

FROM GENERAL REVENUE FUND	397,230,711	
FROM MEDICAL CARE TRUST FUND		528,432,999

235 SPECIAL CATEGORIES
OCCUPATIONAL THERAPY SERVICES

FROM GENERAL REVENUE FUND	11,010,560	
FROM MEDICAL CARE TRUST FUND		15,697,421
FROM REFUGEE ASSISTANCE TRUST FUND		803

236 SPECIAL CATEGORIES
CLINIC SERVICES

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FROM GENERAL REVENUE FUND	41,180,637	
FROM MEDICAL CARE TRUST FUND		58,712,912
FROM REFUGEE ASSISTANCE TRUST FUND		1,562,286

237 SPECIAL CATEGORIES
MEDICAID SCHOOL REFINANCING

FROM MEDICAL CARE TRUST FUND		80,000,000

TOTAL: MEDICAID SERVICES TO INDIVIDUALS

FROM GENERAL REVENUE FUND	2687,925,675	
FROM TRUST FUNDS		6985,638,498
TOTAL ALL FUNDS		9673,564,173

MEDICAID LONG TERM CARE

Funds appropriated for Medicaid home and community based waiver programs, the Program of All-inclusive Care for the Elderly (PACE), and Assistive Care Services may be used to serve individuals under the MEDS AD waiver who would otherwise receive these services, but who do not qualify under eligibility groups approved in the state plan.

238 SPECIAL CATEGORIES
ASSISTIVE CARE SERVICES

FROM GENERAL REVENUE FUND	2,191,181	
FROM MEDICAL CARE TRUST FUND		35,993,309

Funds in Specific Appropriation 238 are provided to implement Medicaid coverage for assistive care services and are contingent on the availability of state match being provided in Specific Appropriation 438.

Funds in Specific Appropriation 238 include $2,191,181 from the General Revenue Fund and $3,122,060 from the Medical Care Trust Fund to provide a rate increase for assistive care services. The agency is authorized to seek the necessary federal waivers to implement this provision.

239 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES

FROM GENERAL REVENUE FUND	19,684,925	
FROM GRANTS AND DONATIONS TRUST FUND . . .		15,540
FROM MEDICAL CARE TRUST FUND		912,973,219

Funds in Specific Appropriations 239 and 248 for the Developmental Services Waiver, the Aged and Disabled Waiver, the Project AIDS Care Waiver, and the Nursing Home Diversion Waiver may be used for reimbursement for services provided through agencies licensed pursuant to section 400.506, Florida Statutes.

From the funds in Specific Appropriation 239, $3,084,268 from the General Revenue Fund and $4,418,210 from the Medical Care Trust Fund are provided to serve eligible individuals who upon their 21st birthday, age out of the Department of Health Children's Medical Services medical coverage and enroll in the Medicaid Aged/Disabled Adult Waiver.

From the funds in Specific Appropriation 239, $1,741,389 from the General Revenue Fund, $2,509,581 from the Medical Care Trust Fund and $9,324 from the Grants and Donations Trust Fund are provided for 150 additional slots in the PACE program at the Miami Jewish Nursing Home in Miami-Dade County, effective July 1, 2006, subject to federal approval. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

From the funds in Specific Appropriation 239, $1,160,926 from the General Revenue Fund, $1,673,054 from the Medical Care Trust Fund and $6,216 from the Grants and Donations Trust Fund are provided for 200 slots each for the PACE programs at private not-for-profit hospice organizations in Martin/St. Lucie and Lee counties, effective January 1, 2007, subject to federal approval. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

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240 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM MEDICAL CARE TRUST FUND 35,165,610

241 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY
RETARDED - SUNLAND CENTER
FROM MEDICAL CARE TRUST FUND 118,672,427

242 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/
DEVELOPMENTALLY DISABLED COMMUNITY
FROM GENERAL REVENUE FUND 85,847,572
FROM MEDICAL CARE TRUST FUND 122,368,707

243 SPECIAL CATEGORIES
NURSING HOME CARE
FROM GENERAL REVENUE FUND 1064,563,399
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,592,065
FROM MEDICAL CARE TRUST FUND 1533,858,688

From the funds in Specific Appropriation 243, $10,662,070 from the General Revenue Fund and $15,191,639 from the Medical Care Trust Fund are provided to restore nursing home rate reductions imposed in Fiscal Year 2005-2006. The agency shall amend the Title XIX Long-Term Care Reimbursement Plan to reflect the restoration of such funds.

From the funds in Specific Appropriation 243, $27,000,000 from the General Revenue Fund and $38,486,296 from the Medical Care Trust Fund are provided to partially re-base the operating and indirect patient care component targets of the Medicaid nursing home per diem rate, effective July 1, 2006. Within the funding provided, the Title XIX Long-Term Care Reimbursement Plan may be modified to eliminate or adjust provider-specific targets for the operating and indirect patient care components of the Medicaid rate, increase or decrease the target rate class ceilings or other components of the Medicaid per diem rate such that the operating and indirect patient care components of the per diem rate shall be limited only by the lower of the cost-based class ceiling or the target rate class ceiling.

Funds in Specific Appropriation 243 reflect a reduction of $2,452,025 from the General Revenue Fund, $3,533,705 from the Medical Care Trust Fund, and $13,129 from the Grants and Donations Trust Fund as a result of expanding the Nursing Home Diversion Program by 1,000 slots. The agency is authorized to seek the necessary federal waivers to implement this provision.

Funds in Specific Appropriation 243 reflect a reduction of $1,741,389 from the General Revenue Fund, $2,509,581 from the Medical Care Trust Fund and $9,324 from the Grants and Donations Trust Fund to provide funding for 150 additional slots in the PACE program at the Miami Jewish Nursing Home in Dade County, effective July 1, 2006, subject to federal approval. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

Funds in Specific Appropriation 243 reflect a reduction of $1,160,926 from the General Revenue Fund, $1,673,054 from the Medical Care Trust Fund and $6,216 from the Grants and Donations Trust Fund to provide funding for 200 slots each for the PACE programs at private not-for-profit hospice organizations in Martin/St. Lucie and Lee counties, effective January 1, 2007, subject to federal approval. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

From the funds in Specific Appropriation 243, $5,620,734 from the Grants and Donations Trust Fund and $8,011,898 from the Medical Care Trust Fund are provided for the purpose of maximizing federal revenues through the continuation of the Special Medicaid Payment Program for nursing home services using the Medicaid Upper Payment Limit (UPL) options for governmentally funded nursing homes. Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through UPL provisions, shall be

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contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue funds. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

Funds in Specific Appropriation 243 reflect a reduction of $17,456,222 from the General Revenue Fund and $24,882,420 from the Medical Care Trust Fund as a result of modifying the certified nursing assistant staffing ratio to a weekly average of 2.9 hours of direct care per resident per day with a minimum of 2.7 hours of direct care per resident per day in accordance with section 400.23(3), Florida Statutes, effective January 1, 2007.

244 SPECIAL CATEGORIES
STATE MENTAL HEALTH HOSPITAL PROGRAM
FROM MEDICAL CARE TRUST FUND 5,989,592

245 SPECIAL CATEGORIES
MENTAL HEALTH HOSPITAL DISPROPORTIONATE
SHARE
FROM MEDICAL CARE TRUST FUND 60,998,691

246 SPECIAL CATEGORIES
T.B. HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 2,444,444

247 SPECIAL CATEGORIES
COMMUNITY SUPPORTED LIVING WAIVER
FROM MEDICAL CARE TRUST FUND 74,690,314

248 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM GENERAL REVENUE FUND 80,913,616
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,027
FROM MEDICAL CARE TRUST FUND 115,365,191

From the funds in Specific Appropriation 248, $1,872,622 from the General Revenue Fund, $2,698,705 from the Medical Care Trust Fund, and $10,027 from the Grants and Donations Trust Fund are provided to expand the current Nursing Home Diversion Program by an additional 1,000 slots. The agency is authorized to seek the necessary federal waivers to implement this provision.

The agency is authorized to transfer funds to home and community based waivers in accordance with chapter 216, Florida Statutes, to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities and to maximize the reduction in Medicaid nursing home occupancy.

TOTAL: MEDICAID LONG TERM CARE
FROM GENERAL REVENUE FUND 1253,200,693
FROM TRUST FUNDS 3024,137,824

TOTAL ALL FUNDS 4277,338,517

MEDICAID PREPAID HEALTH PLANS

249 SPECIAL CATEGORIES
PREPAID HEALTH PLANS--ELDERLY AND DISABLED
FROM GENERAL REVENUE FUND 392,030,604
FROM MEDICAL CARE TRUST FUND 559,123,341
FROM REFUGEE ASSISTANCE TRUST FUND 126

Funds in Specific Appropriation 249 reflect an increase of $19,799,399 in the General Revenue Fund and $28,222,428 in the Medical Care Trust Fund as a result of increasing enrollment in managed care plans to achieve a goal of 65 percent in managed care and 35 percent in MediPass.

From the funds in Specific Appropriation 249, $10,531 from the General Revenue Fund, $15,012 from the Medical Care Trust Fund and $126 from the Refugee Assistance Trust Fund are provided to restore Medicaid coverage of adult vision services.

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From the funds in Specific Appropriation 249, $1,006 from the General Revenue Fund and $1,445 from the Medical Care Trust Fund are provided to restore Medicaid coverage of adult hearing services.

Funds in Specific Appropriation 249 include $144,938 from the General Revenue Fund and $206,598 from the Medical Care Trust Fund for a non-emergency transportation rate increase.

Funds in Specific Appropriation 249 reflect an increase of $14,320,000 in the General Revenue Fund and $20,411,991 in the Medical Care Trust Fund to provide an increase in the discount factor by 1.75 percent for each district and eligibility category, unless the increase would cause the discount factor to exceed 100 percent. In these instances, the discount factor shall be limited to 100 percent.

250	SPECIAL CATEGORIES PREPAID HEALTH PLANS--FAMILIES		
	FROM GENERAL REVENUE FUND	484,727,726	
	FROM MEDICAL CARE TRUST FUND		691,176,707
	FROM REFUGEE ASSISTANCE TRUST FUND		10,095,454
TOTAL:	MEDICAID PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND	876,758,330	
	FROM TRUST FUNDS		1260,395,628
	TOTAL ALL FUNDS		2137,153,958

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE 27,596,588

251	SALARIES AND BENEFITS POSITIONS	655.00	
	FROM GENERAL REVENUE FUND	1,782,306	
	FROM HEALTH CARE TRUST FUND		32,182,350
	FROM ADMINISTRATIVE TRUST FUND		1,196,492
	FROM FLORIDA ORGAN AND TISSUE DONOR EDUCATION AND PROCUREMENT TRUST FUND . .		76,700
252	OTHER PERSONAL SERVICES		
	FROM HEALTH CARE TRUST FUND		114,276
253	EXPENSES		
	FROM GENERAL REVENUE FUND	1,551,820	
	FROM HEALTH CARE TRUST FUND		7,073,886
	FROM ADMINISTRATIVE TRUST FUND		595,708
	FROM FLORIDA ORGAN AND TISSUE DONOR EDUCATION AND PROCUREMENT TRUST FUND . .		242,325
254	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	24,511	
	FROM HEALTH CARE TRUST FUND		207,334
	FROM ADMINISTRATIVE TRUST FUND		6,173
255	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM HEALTH CARE TRUST FUND		1,284,724
256	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	3,281,686	
	FROM HEALTH CARE TRUST FUND		921,339
	FROM ADMINISTRATIVE TRUST FUND		3,376,562
	FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND		1,000,000
	FROM FLORIDA ORGAN AND TISSUE DONOR EDUCATION AND PROCUREMENT TRUST FUND . .		58,620
257	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	625,000	

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258	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT		
	FROM HEALTH CARE TRUST FUND		500,000
	FROM RESIDENT PROTECTION TRUST FUND . . .		776,720
259	SPECIAL CATEGORIES MEDICAID SURVEILLANCE		
	FROM HEALTH CARE TRUST FUND		111,820
260	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	12,701	
	FROM HEALTH CARE TRUST FUND		326,995
	FROM ADMINISTRATIVE TRUST FUND		12,827
261	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	13,340	
	FROM HEALTH CARE TRUST FUND		241,426
	FROM ADMINISTRATIVE TRUST FUND		8,976
262	DATA PROCESSING SERVICES STATE TECHNOLOGY OFFICE		
	FROM HEALTH CARE TRUST FUND		250,000
TOTAL:	HEALTH CARE REGULATION		
	FROM GENERAL REVENUE FUND	7,291,364	
	FROM TRUST FUNDS		50,565,253
	TOTAL POSITIONS	655.00	
	TOTAL ALL FUNDS		57,856,617

AGENCY FOR PERSONS WITH DISABILITIES

From the funds in Specific Appropriations 296E, 296I and 296L, the Agency for Persons with Disabilities shall submit quarterly status reports to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council regarding the financial status of home and community-based services in accordance with section 393.0661(5), Florida Statutes.

From the funds in Specific Appropriations 296E, 296I and 296L, if at any time, analysis by the agency in consultation with the Agency for Health Care Administration, indicates the costs of services are expected to exceed the amount appropriated, the agency shall submit a plan to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council, in accordance with section 393.0661(4), Florida Statutes, to remain within the appropriation.

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 10,372,998

296A	SALARIES AND BENEFITS POSITIONS	314.00	
	FROM GENERAL REVENUE FUND	7,795,906	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,519,004
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		163,100
296B	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	533,371	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		480,150
296C	EXPENSES		
	FROM GENERAL REVENUE FUND	732,386	
	FROM FEDERAL GRANTS TRUST FUND		19,867

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		858,150
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		197,572
296D OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	26,866	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,334
296E SPECIAL CATEGORIES GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
FROM GENERAL REVENUE FUND	1,000,000	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		16,856,771

Funds from Specific Appropriation 296E expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

296F SPECIAL CATEGORIES ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED		
FROM GENERAL REVENUE FUND	4,000,000	
296G SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	80,460	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,869
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		22,481
296H SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,297,500	
FROM FEDERAL GRANTS TRUST FUND		182,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,935,738

In addition to existing recurring projects, the following projects in Specific Appropriation 296H are funded from non-recurring operations and maintenance trust funds:

Able Adults - Hillsborough	75,000
Special Olympics Florida Athlete Health, Wellness and Empowerment Initiative - Statewide	500,000
Dimensions Family Club - Broward	50,000
PACK Summer Camp - Pasco	100,000
Services for Adults with Developmental Disabilities at ADE - Dade	50,000
Dream Oaks Camp - Manatee	50,000
Applied Behavior Analysis Therapy -Broward, Dade	300,000
Supported Employment Program for the Disabled - Palm Beach	235,738
Hillsborough Association for Retarded Citizens (HARC)	300,000
Pinellas Association for Retarded Citizens (PARC)	300,000
JAFCO Residential Center - Broward	975,000

296I SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	293,811,354	
FROM TOBACCO SETTLEMENT TRUST FUND		22,609,461
FROM OPERATIONS AND MAINTENANCE TRUST FUND		460,417,023

Funds from Specific Appropriation 296I and 296L shall not be used for administrative costs.

Funds in Specific Appropriation 296I expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

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The agency shall serve all autistic clients through the Home and Community Based Services Waiver. New clients, except autistic clients, must be determined by the agency or a contracted entity through prior service authorization, to need nursing services not available on Medicaid state plan, residential waiver services in a licensed facility, or supported living services not available through the Family and Supported Living Waiver.

The agency shall continue the third party prior services authorization program to review all individual support and cost plans for home and community based waiver services for individuals with developmental disabilities. Recurring savings from client attrition, prior service authorization, and the agency's billing control system, shall be used to serve additional clients from the waitlist.

From the funds in Specific Appropriations 296I and 296L, $10,000,000 from the General Revenue Fund and $14,254,184 from the Operations and Maintenance Trust Fund are provided to serve additional clients from the developmental services waitlist and clients in crisis in either the Home and Community Based Services Waiver or the Family and Supported Living Waiver.

From the funds in Specific Appropriations 296I and 296L $2,000,000 from the General Revenue Fund and $2,850,837 from the Operations and Maintenance Trust Fund are provided for uniform support coordinator rate increases.

From the funds in Specific Appropriations 296I and 296L $8,960,000 from the General Revenue Fund and $12,770,000 from the Operations and Maintenance Trust Fund are provided for uniform provider rate increases, except for support coordinators.

From the funds in Specific Appropriation 296I, the agency shall implement cost-containment measures for any new individual requesting supported living services after July 1, 2006. These measures will include the total annual cost of the provision of supported living services as determined through the support plan process and shall not exceed the total annual cost of equivalent services in an appropriate licensed residential facility. In addition, the agency will establish guidelines and a waiver process to address unique situations where supported living, even at a higher cost, is the most efficient and effective residential option available.

With the exception of clients deemed to be in crisis, the agency shall place at the top of the waitlist for waiver services children on the waitlist who are from the child welfare system with open cases in the Florida SACWIS system within the Department of Children and Family Services.

296J SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	526,157	
296K SPECIAL CATEGORIES START-UP FUNDS/GROUP HOMES		
FROM GENERAL REVENUE FUND	72,960	
296L SPECIAL CATEGORIES COMMUNITY SUPPORTED LIVING WAIVER		
FROM GENERAL REVENUE FUND	30,740,048	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		43,971,686

From the funds in Specific Appropriation 296L, the agency shall implement cost-containment measures for any new individual requesting supported living services after July 1, 2006. These measures shall include the total annual cost of the provision of supported living services as determined through the support plan process and shall not exceed the total annual cost of supports and services that would be provided if the consumer received equivalent services in an appropriate licensed residential facility. In addition, the agency shall establish guidelines and a waiver process to address unique situations in which supported living, even at a higher cost, is the most efficient and effective residential option available.

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With the exception of clients deemed to be in crisis, the agency shall place at the top of the waitlist for waiver services children on the waitlist who are from the child welfare system with open cases in the Florida SACWIS system within the Department of Children and Family Services.

296M GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FIXED CAPITAL OUTLAY FOR PERSONS WITH DISABILITIES		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		50,000

From the funds in Specific Appropriation 296M, the following project is funded from non-recurring operations and maintenance trust funds:

Noah's Landing - Polk 50,000

TOTAL: HOME AND COMMUNITY SERVICES		
FROM GENERAL REVENUE FUND	340,617,008	
FROM TRUST FUNDS		554,313,206
TOTAL POSITIONS	314.00	
TOTAL ALL FUNDS		894,930,214

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 12,016,515

296N SALARIES AND BENEFITS POSITIONS	284.50	
FROM GENERAL REVENUE FUND	9,042,743	
FROM ADMINISTRATIVE TRUST FUND		171,104
FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,107,986
296O OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	4,078	
FROM FEDERAL GRANTS TRUST FUND		142,779
FROM OPERATIONS AND MAINTENANCE TRUST FUND		150,000
296P EXPENSES		
FROM GENERAL REVENUE FUND	1,194,002	
FROM ADMINISTRATIVE TRUST FUND		227
FROM FEDERAL GRANTS TRUST FUND		56,619
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,279,709
296Q OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	42,600	
FROM FEDERAL GRANTS TRUST FUND		4,500
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,800
296R SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		11,378
296S SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	84,365	
FROM ADMINISTRATIVE TRUST FUND		812
FROM OPERATIONS AND MAINTENANCE TRUST FUND		845,365
296T SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	339,753	
FROM FEDERAL GRANTS TRUST FUND		329,816

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296U SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	650,000	
296V SPECIAL CATEGORIES GRANT AND AID COMMUNITY DEVELOPMENT SERVICES		
FROM GENERAL REVENUE FUND	55,261	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		35,799
296W SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	104,865	
296X SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION		
FROM GENERAL REVENUE FUND	3,956,736	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,487,098
296Y SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	853,405	
FROM ADMINISTRATIVE TRUST FUND		2,168
FROM OPERATIONS AND MAINTENANCE TRUST FUND		695,256
296Z QUALIFIED EXPENDITURE CATEGORY ALLOCATION, BUDGET, AND CONTRACT CONTROL SYSTEM (ABC) REWRITE AND INFRASTRUCTURE ENHANCEMENTS		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,214,772
296AA QUALIFIED EXPENDITURE CATEGORY CONSUMER DIRECTED CARE PLUS (CDC+) APPLICATION MIGRATION		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		955,805
296AB DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,237,743	
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	17,565,551	
FROM TRUST FUNDS		20,494,993
TOTAL POSITIONS	284.50	
TOTAL ALL FUNDS		38,060,544

DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES

APPROVED SALARY RATE 95,149,050

296AC SALARIES AND BENEFITS POSITIONS	3,104.50	
FROM GENERAL REVENUE FUND	59,188,512	
FROM ADMINISTRATIVE TRUST FUND		37,704
FROM OPERATIONS AND MAINTENANCE TRUST FUND		57,181,359
296AD OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,573,069	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,310,531
296AE EXPENSES		
FROM GENERAL REVENUE FUND	5,124,627	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,152,004

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296AF OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	237,139	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		698,978
296AG FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	1,258,702	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,420,100
296AH SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,218,236	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		49,712
296AI SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	4,307,266	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,289,956
296AJ SPECIAL CATEGORIES		
PRESCRIBED MEDICINE/DRUGS		
FROM GENERAL REVENUE FUND	223,779	
296AK SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	5,736,980	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,779,922
296AL FIXED CAPITAL OUTLAY		
AGENCY FOR PERSONS WITH DISABILITIES FIXED CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED FACILITIES		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,117,559

From the funds in Specific Appropriation 296AL, the following projects are funded from non-recurring operations and maintenance trust funds:

Billy Joe Rish Park	3,000,000
Sunland at Marianna	559,060
Tacachale	3,528,495
Gulf Coast Center	818,425
Hodges Regional Center	67,500
Suncoast Region	144,079

TOTAL: DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES		
FROM GENERAL REVENUE FUND	78,868,310	
FROM TRUST FUNDS		81,037,825
TOTAL POSITIONS	3,104.50	
TOTAL ALL FUNDS		159,906,135

CHILDREN AND FAMILIES, DEPARTMENT OF

The Department of Children and Family Services is directed to submit a budget amendment to the Legislative Budget Commission at the Commission's first meeting in Fiscal Year 2006-2007, which proposes changes in its operating budget to more appropriately align expenditures with fund sources. The department is further directed to submit a permanent realignment of budget in its Legislative Budget Request for Fiscal Year 2007-2008.

From the funds in Specific Appropriations 297 through 458, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family

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Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	6,902,740		
297 SALARIES AND BENEFITS	POSITIONS	146.00	
FROM GENERAL REVENUE FUND		6,921,366	
FROM ADMINISTRATIVE TRUST FUND			289,129
FROM FEDERAL GRANTS TRUST FUND			1,537,887
FROM WELFARE TRANSITION TRUST FUND			159,295
298 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		32,202	
299 EXPENSES			
FROM GENERAL REVENUE FUND		965,485	
FROM ADMINISTRATIVE TRUST FUND			56,931
FROM FEDERAL GRANTS TRUST FUND			231,826
FROM WELFARE TRANSITION TRUST FUND			19,331
300 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		1,618	
FROM ADMINISTRATIVE TRUST FUND			1,500
FROM WELFARE TRANSITION TRUST FUND			333
301 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		44,819	
FROM ADMINISTRATIVE TRUST FUND			5,575
FROM FEDERAL GRANTS TRUST FUND			9,204
FROM WELFARE TRANSITION TRUST FUND			1,012
302 SPECIAL CATEGORIES			
LAWTON CHILES ENDOWMENT FUND PROGRAMS			
FROM TOBACCO SETTLEMENT TRUST FUND			25,000
303 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		125,686	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM GENERAL REVENUE FUND		8,091,176	
FROM TRUST FUNDS			2,337,023
TOTAL POSITIONS		146.00	
TOTAL ALL FUNDS			10,428,199

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	13,627,793		
304 SALARIES AND BENEFITS	POSITIONS	265.00	
FROM WORKING CAPITAL TRUST FUND			17,092,472

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305	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND		769,272
306	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		4,612,851
307	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		74,011
308	SPECIAL CATEGORIES		
	COMPUTER RELATED EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		46,886,936
309	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM WORKING CAPITAL TRUST FUND		89,778
309A	QUALIFIED EXPENDITURE CATEGORY		
	QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS		
	FROM WORKING CAPITAL TRUST FUND		18,443,953

TOTAL: INFORMATION TECHNOLOGY

FROM TRUST FUNDS		87,969,273
TOTAL POSITIONS	265.00	
TOTAL ALL FUNDS		87,969,273

ASSISTANT SECRETARY FOR ADMINISTRATION

APPROVED SALARY RATE 9,838,226

310	SALARIES AND BENEFITS POSITIONS	205.50	
	FROM GENERAL REVENUE FUND	12,404,157	
	FROM ADMINISTRATIVE TRUST FUND		50,568
	FROM FEDERAL GRANTS TRUST FUND		315,241
	FROM WELFARE TRANSITION TRUST FUND		111,403
311	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	376,318	
	FROM ADMINISTRATIVE TRUST FUND		43,236
	FROM FEDERAL GRANTS TRUST FUND		20,693
312	EXPENSES		
	FROM GENERAL REVENUE FUND	2,824,455	
	FROM ADMINISTRATIVE TRUST FUND		30,276
	FROM FEDERAL GRANTS TRUST FUND		152,395
	FROM WELFARE TRANSITION TRUST FUND		18,452
313	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,555	
	FROM ADMINISTRATIVE TRUST FUND		5,374
315	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	408,602	
	FROM ADMINISTRATIVE TRUST FUND		127,569
316	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	175,326	
318	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	83,968	
319	SPECIAL CATEGORIES		
	STATE INSTITUTIONAL CLAIMS		
	FROM GENERAL REVENUE FUND	42,630	

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320	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,413,080	
	FROM ADMINISTRATIVE TRUST FUND		2,822,124
320A	QUALIFIED EXPENDITURE CATEGORY		
	QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS		
	FROM GENERAL REVENUE FUND	2,807,565	
	FROM ADMINISTRATIVE TRUST FUND		6,967,170
	FROM FEDERAL GRANTS TRUST FUND		8,669,218
321	DATA PROCESSING SERVICES		
	CHILDREN AND FAMILIES DATA CENTER		
	FROM GENERAL REVENUE FUND	29,516,636	
	FROM ADMINISTRATIVE TRUST FUND		6,611,826
	FROM FEDERAL GRANTS TRUST FUND		395,550
	FROM WELFARE TRANSITION TRUST FUND		7,100,722
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		454,150
322	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
	RELIEF/KIMBERLY GODWIN		
	FROM ADMINISTRATIVE TRUST FUND		760,000
323	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF CHILDREN AND FAMILY SERVICES FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES		
	FROM GENERAL REVENUE FUND	8,588,832	

From funds in Specific Appropriation 323, $8,588,832 in non-recurring general revenue funds is provided for maintenance and repairs at the following facilities:

West Florida Community Care Center	78,100
Florida State Hospital	2,677,000
North Florida Evaluation and Treatment Center	163,000
Northeast Florida State Hospital	4,394,538
Florida Civil Commitment Center	85,000
South Florida Evaluation and Treatment Center	59,957
Panama City Service Center	2,500
Tallahassee District Office	2,500
Marianna Service Center	60,500
Quincy Service Center	8,500
Riverside Service Center	33,000
Roberts Building	33,500
Suncoast Region Headquarters	840,737
Belle Glade Service Center	150,000

TOTAL: ASSISTANT SECRETARY FOR ADMINISTRATION

FROM GENERAL REVENUE FUND	60,647,124	
FROM TRUST FUNDS		34,655,967
TOTAL POSITIONS	205.50	
TOTAL ALL FUNDS		95,303,091

DISTRICT ADMINISTRATION

APPROVED SALARY RATE 34,899,504

324	SALARIES AND BENEFITS POSITIONS	814.00	
	FROM GENERAL REVENUE FUND	18,774,815	
	FROM ADMINISTRATIVE TRUST FUND		28,532,279
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		628,560
325	EXPENSES		
	FROM GENERAL REVENUE FUND	3,749,867	
	FROM ADMINISTRATIVE TRUST FUND		1,106,792

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		93,561
326 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,791	
FROM ADMINISTRATIVE TRUST FUND		125,242
327 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	468,816	
FROM ADMINISTRATIVE TRUST FUND		331,944
328 SPECIAL CATEGORIES		
FINGERPRINTING FOR DAY CARE EMPLOYEES		
FROM GENERAL REVENUE FUND	135,513	
329 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,862,326	
TOTAL: DISTRICT ADMINISTRATION		
FROM GENERAL REVENUE FUND	24,996,128	
FROM TRUST FUNDS		30,818,378
TOTAL POSITIONS	814.00	
TOTAL ALL FUNDS		55,814,506

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

CHILD CARE REGULATION AND INFORMATION

APPROVED SALARY RATE 4,362,970		
330 SALARIES AND BENEFITS POSITIONS	109.50	
FROM GENERAL REVENUE FUND	346,455	
FROM FEDERAL GRANTS TRUST FUND		1,301,996
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,889,910
331 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	83,216	
FROM FEDERAL GRANTS TRUST FUND		825,452
332 EXPENSES		
FROM GENERAL REVENUE FUND	65,686	
FROM FEDERAL GRANTS TRUST FUND		1,438,886
333 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	907,139	
FROM FEDERAL GRANTS TRUST FUND		6,408,479
FROM OPERATIONS AND MAINTENANCE TRUST FUND		253,696
334 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	35,146	
TOTAL: CHILD CARE REGULATION AND INFORMATION		
FROM GENERAL REVENUE FUND	1,437,642	
FROM TRUST FUNDS		14,118,419
TOTAL POSITIONS	109.50	
TOTAL ALL FUNDS		15,556,061

ADULT PROTECTION

APPROVED SALARY RATE 22,637,789		
335 SALARIES AND BENEFITS POSITIONS	644.50	
FROM GENERAL REVENUE FUND	19,277,592	

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FROM DOMESTIC VIOLENCE TRUST FUND		138,021
FROM FEDERAL GRANTS TRUST FUND		5,454,291
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,882,929

From the funds in Specific Appropriation 335, $1,011,242 from the General Revenue Fund and $337,080 from the Federal Grants Trust Fund are provided for additional Adult Protection staff, and these funds shall not be used for base salary increases.

336 EXPENSES		
FROM GENERAL REVENUE FUND	4,088,355	
FROM DOMESTIC VIOLENCE TRUST FUND		72,143
FROM FEDERAL GRANTS TRUST FUND		1,616,517
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		513,484

From the funds in Specific Appropriation 336, the Department of Children and Family Services is authorized to provide a vehicle insurance allowance in an amount not to exceed $900 annually to child protective investigators, family services counselors, adult protective investigators, and adult services counselors who are required to use their personal vehicles full time to provide direct client services.

337 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	81,568	
338 SPECIAL CATEGORIES		
HOME CARE FOR DISABLED ADULTS		
FROM GENERAL REVENUE FUND	2,219,860	
339 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
FROM GENERAL REVENUE FUND	2,041,955	
340 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	400,000	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		13,354

From the funds in Specific Appropriation 340, $400,000 from non-recurring general revenue funds is appropriated to provide a pilot personal care attendant program in Lake, Orange, Osceola, and Seminole counties. The Department of Children and Family Services, in partnership with the Florida Association of Centers for Independent Living, shall develop the pilot program to provide personal care attendants to persons who are eligible pursuant to the criteria below. The association may jointly develop memoranda of understanding with the Department of Health, Department of Revenue, the Florida Medicaid program in the Agency for Health Care Administration, the Division of Vocational Rehabilitation of the Department of Education, the Department of Children and Family Services, and the Florida Endowment Foundation for Vocational Rehabilitation. The Florida Association of Centers for Independent Living shall receive 15 percent of the $400,000 for administration of the program.

Persons eligible to participate in the Personal Care Attendant program must: reside in the pilot program area; be at least 18 years of age and be significantly physically or mentally disabled; require self-care assistance including, but not limited to, bathing, eating, bowel and bladder management, and transportation; require a personal care attendant to maintain substantial gainful employment; be able to hire and supervise a personal care attendant; and presently be employed or have an offer of employment but, because of a lack of a caregiver, will lose employment or the offer thereof.

The association, in cooperation with the Division of Vocational Rehabilitation of the Department of Education and the Florida Endowment Foundation for Vocational Rehabilitation, shall establish procedures for selecting persons eligible to participate in the program.

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341 SPECIAL CATEGORIES
GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM
FROM GENERAL REVENUE FUND 195,431
FROM DOMESTIC VIOLENCE TRUST FUND 9,276,004
FROM FEDERAL GRANTS TRUST FUND 9,279,218
FROM WELFARE TRANSITION TRUST FUND 7,750,000

342 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 5,150,457
FROM FEDERAL GRANTS TRUST FUND 7,341,557

From the funds in Specific Appropriation 342, $1,940,284 from the General Revenue Fund and $2,765,716 from the Federal Grants Trust Fund are provided to serve additional individuals from the wait list.

343 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 512,368

344 SPECIAL CATEGORIES
TEMPORARY EMERGENCY SHELTER SERVICES
FROM GENERAL REVENUE FUND 203,527

345 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY SHELTER AND TRANSITIONAL HOUSING
FROM GENERAL REVENUE FUND 5,500,000

TOTAL: ADULT PROTECTION

FROM GENERAL REVENUE FUND 39,671,113
FROM TRUST FUNDS 45,337,518

TOTAL POSITIONS 644.50
TOTAL ALL FUNDS 85,008,631

CHILD ABUSE PREVENTION AND INTERVENTION

346 OTHER PERSONAL SERVICES
FROM WELFARE TRANSITION TRUST FUND 83,999

347 EXPENSES
FROM WELFARE TRANSITION TRUST FUND 25,915

348 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION
FROM GENERAL REVENUE FUND 15,900,000
FROM WELFARE TRANSITION TRUST FUND 12,446,386

349 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 335

TOTAL: CHILD ABUSE PREVENTION AND INTERVENTION

FROM GENERAL REVENUE FUND 15,900,335
FROM TRUST FUNDS 12,556,300

TOTAL ALL FUNDS 28,456,635

CHILD PROTECTION AND PERMANENCY

APPROVED SALARY RATE 79,685,816

350 SALARIES AND BENEFITS POSITIONS 2,136.50
FROM GENERAL REVENUE FUND 56,957,736
FROM FEDERAL GRANTS TRUST FUND 2,004,651
FROM WELFARE TRANSITION TRUST FUND 42,367,776
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 10,331,083

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351 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 285,147
FROM FEDERAL GRANTS TRUST FUND 62,557
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 521

352 EXPENSES
FROM GENERAL REVENUE FUND 13,265,990
FROM FEDERAL GRANTS TRUST FUND 2,065,838
FROM WELFARE TRANSITION TRUST FUND 5,379,551
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,106,561

From the funds in Specific Appropriation 352, the Department of Children and Family Services is authorized to provide a vehicle insurance allowance in an amount not to exceed $900 annually to child protective investigators, family services counselors, adult protective investigators, and adult services counselors who are required to use their personal vehicles full time to provide direct client services.

352A LUMP SUM
FOSTER CARE BOARD RATE INCREASE
FROM GENERAL REVENUE FUND 4,373,663
FROM FEDERAL GRANTS TRUST FUND 2,132,827

From the funds in Specific Appropriation 352A, $4,373,663 from the General Revenue Fund and $2,132,827 from the Federal Grants Trust Fund are provided to increase the foster care base board rate by $2 per child per day.

352B LUMP SUM
INSURANCE FUND FOR COMMUNITY BASED PROVIDERS OF CHILD WELFARE SERVICES
FROM FEDERAL GRANTS TRUST FUND 3,000,000

352C LUMP SUM
SHARED RISK FUND FOR COMMUNITY BASED PROVIDERS OF CHILD WELFARE SERVICES
FROM FEDERAL GRANTS TRUST FUND 7,500,000

353 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS
FROM GENERAL REVENUE FUND 20,655,566
FROM TOBACCO SETTLEMENT TRUST FUND 7,523,631
FROM WELFARE TRANSITION TRUST FUND 8,402,094
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 14,752,632

The funds in Specific Appropriation 353 shall be used by the Department of Children and Family Services to award grants to the sheriffs of Manatee, Pasco, Pinellas, Broward, Seminole, Hillsborough and Citrus counties for the performance of child protective investigations as mandated in section 39.3065, Florida Statutes. The department shall provide the Citrus County Sheriff's Office a non-recurring start-up grant associated with the child protective investigation function. The appropriation shall be allocated as follows:

Manatee County Sheriff..... 3,619,941
Pasco County Sheriff..... 4,189,840
Pinellas County Sheriff..... 10,656,488
Broward County Sheriff..... 13,337,160
Hillsborough County Sheriff..... 15,503,339
Seminole County Sheriff..... 3,527,155
Citrus County Sheriff..... 500,000

354 SPECIAL CATEGORIES
ADOPTION SERVICES AND SUBSIDY
FROM GENERAL REVENUE FUND 5,652,769
FROM TOBACCO SETTLEMENT TRUST FUND 981,108
FROM FEDERAL GRANTS TRUST FUND 6,468,900
FROM WELFARE TRANSITION TRUST FUND 818,952

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355 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD PROTECTION

FROM GENERAL REVENUE FUND	13,639,267	
FROM CHILD WELFARE TRAINING TRUST FUND . .		835,057
FROM TOBACCO SETTLEMENT TRUST FUND		6,007,066
FROM FEDERAL GRANTS TRUST FUND		22,636,668
FROM WELFARE TRANSITION TRUST FUND		2,532,651
FROM OPERATIONS AND MAINTENANCE TRUST FUND		499,946
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,242,531

In addition to existing recurring projects, the following projects from Specific Appropriation 355 are funded from non-recurring tobacco settlement funds:

Post Adoption Services - Baker, Clay, Duval, Nassau, St. Johns.....	100,000
The Salvation Army Children's Village - Hillsborough, Pinellas.....	100,000
Howard Phillips Center for Children and Families - Orange, Osceola, Seminole.....	150,000

In addition to existing recurring projects, the following projects from Specific Appropriation 355 are funded from non-recurring general revenue funds:

Crossroads Community Mentoring - Bay.....	25,000
Therapeutic Intervention for Young Victims of Sexual Abuse - Dade.....	50,000
ePassport - Broward, Hillsborough.....	200,000
Child Advocacy Centers - Statewide.....	250,000
Howard Phillips Center for Children and Families - Orange Osceola, Seminole.....	200,000

From the funds in Specific Appropriations 355, 357 and 361, the Department of Children and Family Services, in coordination with community-based care lead agencies, shall establish minimum standards for the Independent Living Transition Services Program (section 409.1452, Florida Statutes) for current and former foster youth. The department shall include these minimum standards in department contracts with community-based care lead agencies by July 1, 2007. These standards shall be consistent with, but by no means limited to, the standards contained in the Office of Program Policy and Analysis and Government Accountability (OPPAGA) Report Number 04-78. By July 1, 2007, the department, in coordination with community-based care lead agencies, shall also develop measures for assessing lead agency performance in meeting these minimum standards. The department shall begin monitoring lead agency performance in accordance with these requirements by Fiscal Year 2008-2009.

Specific Appropriation 355 includes funds to continue the child welfare legal services contracts with the Attorney General's office and state attorneys.

From the funds in Specific Appropriation 355, $2,400,000 in Federal Grants Trust Fund shall be made available to Children's Home Society of Florida for the purpose of providing Title IV-E in-service and emergent needs training to community-based care providers responsible for the delivery of Title IV-E child welfare services. Before executing any contract, Children's Home Society of Florida must document that certified match for these funds is available from a local government entity or agency of instrumentality and that such funds have not been used as match for any other purpose. Adherence to federal cost allocation and reporting requirements is required to ensure the Title IV-E funds can be appropriately drawn.

356 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	4,292,166	

357 SPECIAL CATEGORIES
GRANTS AND AIDS - FAMILY FOSTER CARE

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FROM GENERAL REVENUE FUND	5,864,917	
FROM TOBACCO SETTLEMENT TRUST FUND		348,768
FROM FEDERAL GRANTS TRUST FUND		2,385,565
FROM WELFARE TRANSITION TRUST FUND		2,100
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		73,668

The Department of Children and Family Services shall transfer $4,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

358 SPECIAL CATEGORIES
GRANTS AND AIDS - RESIDENTIAL GROUP CARE

FROM GENERAL REVENUE FUND	251,704	
FROM TOBACCO SETTLEMENT TRUST FUND		691,802
FROM FEDERAL GRANTS TRUST FUND		225,321
FROM OPERATIONS AND MAINTENANCE TRUST FUND		127,804
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		352,240

359 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY SHELTER CARE

FROM GENERAL REVENUE FUND	172,127	
FROM TOBACCO SETTLEMENT TRUST FUND		419,507
FROM FEDERAL GRANTS TRUST FUND		123,769
FROM WELFARE TRANSITION TRUST FUND		495,167
FROM OPERATIONS AND MAINTENANCE TRUST FUND		38,897
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		405,079

360 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIALIZED RESIDENTIAL GROUP CARE SERVICES

FROM GENERAL REVENUE FUND	116,559	
FROM FEDERAL GRANTS TRUST FUND		49,136

Specific Appropriation 360 includes funding for enhanced and model comprehensive residential group care services based on a statewide average rate of $120 per day per client.

361 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES

FROM GENERAL REVENUE FUND	243,283,909	
FROM ADMINISTRATIVE TRUST FUND		1,861,503
FROM TOBACCO SETTLEMENT TRUST FUND		107,324,464
FROM FEDERAL GRANTS TRUST FUND		196,137,061
FROM WELFARE TRANSITION TRUST FUND		55,868,417
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,928,344
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		40,184,288

From the funds in Specific Appropriation 361, $17,000,000 from the General Revenue Fund and $3,000,000 from the Federal Grants Trust Fund shall be distributed to the community-based care lead agencies to achieve improved equity with respect to the total foster care and related services funding. These funds shall be distributed to the lead agencies receiving an amount below the statewide average budget per child per year based on a minimum per child rate distribution formula. Community-based care lead agencies not meeting the criteria for receiving additional equity funds shall not receive additional funds from Specific Appropriation 361, but shall be held harmless from budget reductions.

The Department of Children and Family Services shall contract with community-based care lead agencies using a fixed-price or unit cost

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method of payment, effective January 1, 2007. Community-based care lead agencies may expend funds from this appropriation for community resource development.

From the funds in Specific Appropriation 361, an additional $1,284,324 from the General Revenue Fund and $1,029,845 from the Federal Grants Trust Fund are provided for subsidy payments for new adoptees during the 2006-2007 fiscal year.

From the funds in Specific Appropriation 361, an additional $5,099,419 from the General Revenue Fund is provided for the Independent Living Services Program.

TOTAL: CHILD PROTECTION AND PERMANENCY

FROM GENERAL REVENUE FUND	368,811,520	
FROM TRUST FUNDS		565,695,501
TOTAL POSITIONS	2,136.50	
TOTAL ALL FUNDS		934,507,021

FLORIDA ABUSE HOTLINE

APPROVED SALARY RATE 7,761,879

362 SALARIES AND BENEFITS POSITIONS	230.00	
FROM GENERAL REVENUE FUND	1,307,997	
FROM FEDERAL GRANTS TRUST FUND		210,522
FROM WELFARE TRANSITION TRUST FUND		5,316,680
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,275,074
363 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	622,305	
FROM WELFARE TRANSITION TRUST FUND		165,845
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		60,563
364 EXPENSES		
FROM GENERAL REVENUE FUND	719,888	
FROM WELFARE TRANSITION TRUST FUND		1,561,213
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		563,155
365 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		1,205
FROM WELFARE TRANSITION TRUST FUND		14,749
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		10,974
366 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	115,339	

TOTAL: FLORIDA ABUSE HOTLINE

FROM GENERAL REVENUE FUND	2,765,529	
FROM TRUST FUNDS		11,179,980
TOTAL POSITIONS	230.00	
TOTAL ALL FUNDS		13,945,509

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 18,795,040

368 SALARIES AND BENEFITS POSITIONS	358.00	
FROM GENERAL REVENUE FUND	14,970,234	
FROM DOMESTIC VIOLENCE TRUST FUND		243,184
FROM FEDERAL GRANTS TRUST FUND		2,646,650
FROM WELFARE TRANSITION TRUST FUND		4,682,864
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,000,523

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369 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	340,583	
FROM FEDERAL GRANTS TRUST FUND		750,613
FROM WELFARE TRANSITION TRUST FUND		358
370 EXPENSES		
FROM GENERAL REVENUE FUND	4,844,819	
FROM DOMESTIC VIOLENCE TRUST FUND		17,453
FROM FEDERAL GRANTS TRUST FUND		2,118,946
FROM WELFARE TRANSITION TRUST FUND		805,998
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		540,960

From funds in Specific Appropriation 370, $1,000,000 from the General Revenue Fund is provided for the Child Welfare Student Loan Reimbursement program.

371 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	3,051	
FROM FEDERAL GRANTS TRUST FUND		11,250
372 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	19,000	
FROM FEDERAL GRANTS TRUST FUND		19,000
373 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	4,464,931	
FROM CHILD WELFARE TRAINING TRUST FUND		3,164,943
FROM FEDERAL GRANTS TRUST FUND		2,141,336
FROM WELFARE TRANSITION TRUST FUND		24,640
374 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	3,706,119	
FROM FEDERAL GRANTS TRUST FUND		10,657

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	28,348,737	
FROM TRUST FUNDS		18,179,375
TOTAL POSITIONS	358.00	
TOTAL ALL FUNDS		46,528,112

PROGRAM: MENTAL HEALTH PROGRAM

VIOLENT SEXUAL PREDATOR PROGRAM

APPROVED SALARY RATE 757,942

375 SALARIES AND BENEFITS POSITIONS	13.00	
FROM GENERAL REVENUE FUND	928,011	
376 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	81,814	
377 EXPENSES		
FROM GENERAL REVENUE FUND	321,052	
378 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,345	
379 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	24,735,687	
380 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	30,632	

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TOTAL: VIOLENT SEXUAL PREDATOR PROGRAM

FROM GENERAL REVENUE FUND	26,098,541	
TOTAL POSITIONS	13.00	
TOTAL ALL FUNDS		26,098,541

ADULT COMMUNITY MENTAL HEALTH SERVICES

381 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,335,544	
FROM FEDERAL GRANTS TRUST FUND		261,202
FROM WELFARE TRANSITION TRUST FUND		269,490
382 EXPENSES		
FROM GENERAL REVENUE FUND	43,816	
FROM WELFARE TRANSITION TRUST FUND		65,714
383 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	160,832,491	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		16,759,477
FROM TOBACCO SETTLEMENT TRUST FUND		18,029,419
FROM FEDERAL GRANTS TRUST FUND		13,044,410
FROM WELFARE TRANSITION TRUST FUND		7,358,585
FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,002
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,650,000

From the funds in Specific Appropriation 383, $4,700,000 from the General Revenue Fund and $5,300,000 from the Tobacco Settlement Trust Fund shall be used to increase adult community mental health services. These funds are provided to improve equity with respect to the total adult community mental health funding across the state and shall be distributed pursuant to section 394.908, Florida Statutes.

In addition to existing recurring projects, the following projects in Specific Appropriation 383 are funded from non-recurring general revenue funds:

Bay FACT Funding - Bay.....	543,000
Regional Short-term Residential Treatment - Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee, Union.....	903,000
Public Receiving Facility Service - Pinellas.....	1,003,819
Family Emergency Treatment Center - Hillsborough.....	250,000
Uninsured/Underinsured Families - Dade.....	250,000

In addition to existing recurring projects, the following projects in Specific Appropriation 383 are funded from non-recurring tobacco settlement funds:

Orientation to ICCD Clubhouses - Pinellas.....	150,000
Outpatient Mental Health Services - Nassau.....	100,000
Family Emergency Treatment Center - Hillsborough.....	500,000
Orange County Central Receiving Center - Orange.....	3,000,000
Behavioral Health Core Services and Triage Center - Charlotte, Collier, Glades, Hendry, Lee.....	200,000

From the funds in Specific Appropriation 383, the following projects are funded from non-recurring supplemental emergency social services block grant funds made available to address 2005 hurricane impacts:

Mental Health Community Housing Program - Dade.....	100,000
Family Preservation and Support Program - Dade.....	100,000
Citrus Health Network - Dade.....	250,000
Supportive Housing for Mentally Ill Homeless Individuals - Dade.....	200,000
Crisis Stabilization and Support Services - Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla.....	1,000,000
Family Emergency Treatment Center - Indian River, Martin, Okeechobee, St. Lucie.....	1,000,000

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384 SPECIAL CATEGORIES		
GRANTS AND AIDS - BAKER ACT SERVICES		
FROM GENERAL REVENUE FUND	62,333,949	
FROM TOBACCO SETTLEMENT TRUST FUND		100,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,099,807

In addition to existing recurring projects, the following project in Specific Appropriation 384 is funded from non-recurring tobacco settlement trust funds:

Adult Emergency Baker Act Services - Hernando, Pasco.....	100,000

385 SPECIAL CATEGORIES		
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM		
FROM GENERAL REVENUE FUND	6,780,276	
386 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	18	
TOTAL: ADULT COMMUNITY MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	231,326,094	
FROM TRUST FUNDS		60,088,106
TOTAL ALL FUNDS		291,414,200

CHILDREN'S MENTAL HEALTH SERVICES

387 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	933,849	
FROM FEDERAL GRANTS TRUST FUND		278,795
388 EXPENSES		
FROM GENERAL REVENUE FUND	25,120	
FROM FEDERAL GRANTS TRUST FUND		10,488
389 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	24,156,037	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		8,464,303
FROM TOBACCO SETTLEMENT TRUST FUND		712,772
FROM FEDERAL GRANTS TRUST FUND		7,633,869
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		600,000

In addition to existing recurring projects, the following projects from Specific Appropriation 389 are funded from non-recurring tobacco settlement funds:

Children's Emergency Baker Act Services - Hernando, Pasco...	100,000

From the funds in Specific Appropriation 389, the following projects are funded from non-recurring supplemental emergency social services block grant funds made available to address 2005 hurricane impacts:

Children's Community Action Team (CAT Team) - Lee, Manatee..	500,000
Oakwood Children's Crisis Stabilization Unit - Palm Beach...	100,000

390 SPECIAL CATEGORIES		
THERAPEUTIC SERVICES FOR CHILDREN		
FROM GENERAL REVENUE FUND	7,434,341	
FROM FEDERAL GRANTS TRUST FUND		20,404

391 SPECIAL CATEGORIES
PURCHASE OF THERAPEUTIC SERVICES FOR

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CHILDREN
FROM GENERAL REVENUE FUND 8,911,958
FROM FEDERAL GRANTS TRUST FUND 135,856

392 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 23,621,098

Specific Appropriation 392 includes an increase of $5,000,000 in general revenue funds for a per diem increase for the Statewide Inpatient Psychiatric Program (SIPP).

The Department of Children and Family Services shall transfer $21,308,166 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in SIPP and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

393 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S BAKER ACT SERVICES
FROM GENERAL REVENUE FUND 14,368,207
FROM GRANTS AND DONATIONS TRUST FUND . . . 725,193

393A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
MENTAL HEALTH/SUBSTANCE ABUSE FACILITIES
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,000,000

From the funds in Specific Appropriation 393A, the following project is funded from non-recurring supplemental emergency social services block grant funds made available to address 2005 hurricane impacts:

Emergency 30 Bed Children's Crisis Unit - Indian River, Martin, Okeechobee, St. Lucie..... 1,000,000

TOTAL: CHILDREN'S MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND 79,450,610
FROM TRUST FUNDS 19,581,680

TOTAL ALL FUNDS 99,032,290

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 5,689,518

394 SALARIES AND BENEFITS POSITIONS 112.00
FROM GENERAL REVENUE FUND 6,509,984
FROM ADMINISTRATIVE TRUST FUND 182,447
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 291,901
FROM FEDERAL GRANTS TRUST FUND 208,729

395 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 139,357
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 264,026
FROM FEDERAL GRANTS TRUST FUND 916,661

396 EXPENSES
FROM GENERAL REVENUE FUND 890,109
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 539,939
FROM FEDERAL GRANTS TRUST FUND 347,478

397 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 3,749,362
FROM FEDERAL GRANTS TRUST FUND 100,000

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397A SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT ASSISTANCE COMPACT - 2005 HURRICANES - STATE OPERATIONS
FROM FEDERAL GRANTS TRUST FUND 4,124,234

397B SPECIAL CATEGORIES
FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION
FROM GENERAL REVENUE FUND 250,000
FROM FEDERAL GRANTS TRUST FUND 75,000

398 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 585,427

398A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM FEDERAL GRANTS TRUST FUND 6,106,092

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND 8,374,877
FROM TRUST FUNDS 16,905,869

TOTAL POSITIONS 112.00
TOTAL ALL FUNDS 25,280,746

PROGRAM: SUBSTANCE ABUSE PROGRAM

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 2,717,384

399 SALARIES AND BENEFITS POSITIONS 60.00
FROM GENERAL REVENUE FUND 2,138,399
FROM ADMINISTRATIVE TRUST FUND 137,952
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 896,507
FROM FEDERAL GRANTS TRUST FUND 298,733

400 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 38,581
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 505,845
FROM FEDERAL GRANTS TRUST FUND 334,535

401 EXPENSES
FROM GENERAL REVENUE FUND 258,136
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 319,438
FROM FEDERAL GRANTS TRUST FUND 186,639

402 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 170,840
FROM FEDERAL GRANTS TRUST FUND 3,264,448

403 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 41,838

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND 2,647,794
FROM TRUST FUNDS 5,944,097

TOTAL POSITIONS 60.00
TOTAL ALL FUNDS 8,591,891

CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

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404 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	375,918	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		50,590
FROM CHILDREN AND ADOLESCENTS SUBSTANCE ABUSE TRUST FUND		60,156
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,221
405 EXPENSES		
FROM GENERAL REVENUE FUND	12,434	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		3,599
FROM CHILDREN AND ADOLESCENTS SUBSTANCE ABUSE TRUST FUND		4,284
FROM OPERATIONS AND MAINTENANCE TRUST FUND		106
406 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	32,748,838	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		28,905,569
FROM CHILDREN AND ADOLESCENTS SUBSTANCE ABUSE TRUST FUND		11,298,205
FROM TOBACCO SETTLEMENT TRUST FUND		3,010,907
FROM FEDERAL GRANTS TRUST FUND		211,066
FROM WELFARE TRANSITION TRUST FUND		640,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		85,673

In addition to existing recurring projects, the following projects in Specific Appropriation 406 are funded from non-recurring general revenue funds:

Parenting Wisely/Choices - Hillsborough.....	300,000
Regional 15 Bed Children/Adolescent Residential Substance Abuse Treatment Facility - Citrus, Marion.....	1,000,000
Adolescent Treatment Expansion - Flagler, Volusia, Putnam...	250,000

In addition to existing recurring projects, the following projects in Specific Appropriation 406 are funded from non-recurring tobacco settlement trust funds:

Drug Free Youth in Town - Dade.....	100,000
Here's Help Capacity Expansion Project - Dade.....	50,000

From funds in Specific Appropriation 406, $1,096,000 from the General Revenue Fund shall be used to increase children's substance abuse services. These funds are provided to improve equity with respect to the total children's substance abuse funding across the state and shall be distributed pursuant to section 394.908, Florida Statutes.

Funds in Specific Appropriation 406 may be used for clinical supervision.

TOTAL: CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	33,137,190	
FROM TRUST FUNDS		44,274,376
TOTAL ALL FUNDS		77,411,566

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

407 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	387,882	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		634,139
FROM OPERATIONS AND MAINTENANCE TRUST FUND		44,068

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408 EXPENSES		
FROM GENERAL REVENUE FUND	18,497	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		25,665
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,367
409 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	37,681,129	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		63,550,154
FROM TOBACCO SETTLEMENT TRUST FUND		6,391,766
FROM FEDERAL GRANTS TRUST FUND		5,841,876
FROM WELFARE TRANSITION TRUST FUND		14,097,500
FROM OPERATIONS AND MAINTENANCE TRUST FUND		243,998
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		700,000

In addition to existing recurring projects, the following projects in Specific Appropriation 409 are funded from non-recurring general revenue funds:

Project 1-800-Wait NOT - Baker, Clay, Duval, Nassau, St. John's.....	400,000
Community Based Health Education and Outreach Project - Pinellas.....	400,000

In addition to existing recurring projects, the following project in Specific Appropriation 409 is funded from non-recurring tobacco settlement trust funds:

Mothers and Infants/First Step - Sarasota.....	150,000

From the funds in Specific Appropriation 409, $10,672,529 from the General Revenue Fund shall be used to increase adult substance abuse services. These funds are provided to improve equity with respect to the total adult substance abuse funding across the state and shall be distributed pursuant to section 394.908, Florida Statutes.

Funds in Specific Appropriation 409 may be used for clinical supervision.

From the funds in Specific Appropriation 409, the following project is funded from non-recurring supplemental emergency social services block grant funds made available to address 2005 hurricane impacts:

Camillus Life Center - Dade.....	700,000

409A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY MENTAL HEALTH/SUBSTANCE ABUSE FACILITIES		
FROM GENERAL REVENUE FUND	150,000	

From the funds in Specific Appropriation 409A, the following project is funded from non-recurring general revenue funds:

Lisa Merlin House - Orange, Seminole.....	150,000

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	38,237,508	
FROM TRUST FUNDS		91,531,533

SECTION 3
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS 129,769,041

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 137,479,790

410	SALARIES AND BENEFITS POSITIONS	4,109.00	
	FROM GENERAL REVENUE FUND	86,041,376	
	FROM FEDERAL GRANTS TRUST FUND		69,138,661
	FROM GRANTS AND DONATIONS TRUST FUND . . .		73,036
	FROM WELFARE TRANSITION TRUST FUND		280,717
411	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	447,396	
	FROM FEDERAL GRANTS TRUST FUND		372,287
	FROM GRANTS AND DONATIONS TRUST FUND . . .		33,600
	FROM WELFARE TRANSITION TRUST FUND		34,498
412	EXPENSES		
	FROM GENERAL REVENUE FUND	22,599,792	
	FROM FEDERAL GRANTS TRUST FUND		18,535,659
	FROM WELFARE TRANSITION TRUST FUND		1,566,588
413	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		70,907
	FROM WELFARE TRANSITION TRUST FUND		4,254
414	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,038,848	
	FROM FEDERAL GRANTS TRUST FUND		978,845
	FROM WELFARE TRANSITION TRUST FUND		58,549
415	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,189,441	
	FROM TOBACCO SETTLEMENT TRUST FUND		50,000
	FROM FEDERAL GRANTS TRUST FUND		315,298
	FROM WELFARE TRANSITION TRUST FUND		327,761

In addition to existing recurring projects, the following project in Specific Appropriation 415 is funded from non-recurring tobacco settlement funds:

Eligibility Determination Outreach - Broward..... 50,000

416	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	528,004	
	FROM FEDERAL GRANTS TRUST FUND		746,238

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES

FROM GENERAL REVENUE FUND	111,844,857	
FROM TRUST FUNDS		92,586,898
TOTAL POSITIONS	4,109.00	
TOTAL ALL FUNDS		204,431,755

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 8,387,412

417	SALARIES AND BENEFITS POSITIONS	168.00	
	FROM GENERAL REVENUE FUND	6,328,331	
	FROM FEDERAL GRANTS TRUST FUND		3,830,930
	FROM WELFARE TRANSITION TRUST FUND		724,389
418	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	135,466	
	FROM FEDERAL GRANTS TRUST FUND		107,657
	FROM WELFARE TRANSITION TRUST FUND		21,565

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419	EXPENSES		
	FROM GENERAL REVENUE FUND	3,485,186	
	FROM FEDERAL GRANTS TRUST FUND		2,017,267
	FROM WELFARE TRANSITION TRUST FUND		638,170
420	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,043	
	FROM FEDERAL GRANTS TRUST FUND		9,817
	FROM WELFARE TRANSITION TRUST FUND		4,723
421	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	10,684,509	
	FROM FEDERAL GRANTS TRUST FUND		9,025,423
	FROM WELFARE TRANSITION TRUST FUND		637,583
422	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,347,949	
	FROM ADMINISTRATIVE TRUST FUND		581,745
	FROM FEDERAL GRANTS TRUST FUND		5,630,436
423	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,448,329	
	FROM FEDERAL GRANTS TRUST FUND		1,409,017

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	26,430,813	
FROM TRUST FUNDS		24,638,722
TOTAL POSITIONS	168.00	
TOTAL ALL FUNDS		51,069,535

FRAUD PREVENTION AND BENEFIT RECOVERY

APPROVED SALARY RATE 6,141,794

424	SALARIES AND BENEFITS POSITIONS	200.50	
	FROM GENERAL REVENUE FUND	2,642,250	
	FROM FEDERAL GRANTS TRUST FUND		3,260,078
	FROM WELFARE TRANSITION TRUST FUND		2,196,234
425	EXPENSES		
	FROM GENERAL REVENUE FUND	493,744	
	FROM FEDERAL GRANTS TRUST FUND		1,583,236
	FROM WELFARE TRANSITION TRUST FUND		316,230
426	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		140,137
	FROM WELFARE TRANSITION TRUST FUND		260,255
427	SPECIAL CATEGORIES		
	PUBLIC ASSISTANCE FRAUD CONTRACT		
	FROM GENERAL REVENUE FUND	47,752	
	FROM FEDERAL GRANTS TRUST FUND		3,341,315
	FROM WELFARE TRANSITION TRUST FUND		1,106,437
428	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	12,809	
	FROM FEDERAL GRANTS TRUST FUND		27,146

TOTAL: FRAUD PREVENTION AND BENEFIT RECOVERY

FROM GENERAL REVENUE FUND	3,196,555	
FROM TRUST FUNDS		12,231,068
TOTAL POSITIONS	200.50	
TOTAL ALL FUNDS		15,427,623

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SPECIAL ASSISTANCE PAYMENTS

APPROVED SALARY RATE 194,005

429 SALARIES AND BENEFITS POSITIONS 3.00
FROM GENERAL REVENUE FUND 193,736
FROM FEDERAL GRANTS TRUST FUND 43,440

430 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 58,200
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,097
FROM WELFARE TRANSITION TRUST FUND 84,095

431 EXPENSES
FROM GENERAL REVENUE FUND 217,843
FROM FEDERAL GRANTS TRUST FUND 42,604
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,122
FROM WELFARE TRANSITION TRUST FUND 6,111

432 SPECIAL CATEGORIES
GRANTS AND AIDS - CHALLENGE GRANTS
FROM GENERAL REVENUE FUND 2,116,025

433 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL EMERGENCY
SHELTER GRANT PROGRAM
FROM GENERAL REVENUE FUND 1,185,990
FROM FEDERAL GRANTS TRUST FUND 3,034,474
FROM GRANTS AND DONATIONS TRUST FUND . . . 809,793
FROM WELFARE TRANSITION TRUST FUND 809,793

434 SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS HOUSING
ASSISTANCE GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,000,000

435 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 800,000
FROM TOBACCO SETTLEMENT TRUST FUND 225,000
FROM SOCIAL SERVICES BLOCK GRANT TRUST
FUND 300,000

In addition to existing recurring projects, the following project in Specific Appropriation 435 is funded from non-recurring tobacco settlement trust funds:

Positive Spin - Hillsborough..... 225,000

In addition to existing recurring projects, the following project in Specific Appropriation 435 is funded from non-recurring general revenue funds:

Homeless Supportive Services - Clay, Duval, Nassau..... 100,000

From the funds in Specific Appropriations 435, the following project is funded from non-recurring supplemental emergency social services block grant funds made available to address 2005 hurricane impacts:

Elderly Housing Assistance - Broward..... 300,000

436 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 337

437 FINANCIAL ASSISTANCE PAYMENTS
CASH ASSISTANCE
FROM GENERAL REVENUE FUND 148,451,485
FROM WELFARE TRANSITION TRUST FUND 32,104,504

438 FINANCIAL ASSISTANCE PAYMENTS
OPTIONAL STATE SUPPLEMENTATION PROGRAM
FROM GENERAL REVENUE FUND 26,533,020

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439 FINANCIAL ASSISTANCE PAYMENTS
PERSONAL CARE ALLOWANCE
FROM GENERAL REVENUE FUND 314,456

TOTAL: SPECIAL ASSISTANCE PAYMENTS

FROM GENERAL REVENUE FUND 179,871,092
FROM TRUST FUNDS 44,550,033

TOTAL POSITIONS 3.00
TOTAL ALL FUNDS 224,421,125

REFUGEES

APPROVED SALARY RATE 1,647,331

440 SALARIES AND BENEFITS POSITIONS 38.00
FROM FEDERAL GRANTS TRUST FUND 2,048,442

441 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 219,272

442 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 532,360

443 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 22,125

444 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAM
FROM FEDERAL GRANTS TRUST FUND 56,604,968

445 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL GRANTS TRUST FUND 10,697

446 SPECIAL CATEGORIES
SERVICES TO REPATRIATED AMERICANS
FROM FEDERAL GRANTS TRUST FUND 40,380

447 FINANCIAL ASSISTANCE PAYMENTS
REFUGEE/ENTRANT ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND 9,358,075

TOTAL: REFUGEES

FROM TRUST FUNDS 68,836,319

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 68,836,319

PROGRAM: INSTITUTIONAL FACILITIES

ADULT MENTAL HEALTH TREATMENT FACILITIES

APPROVED SALARY RATE 138,469,627

448 SALARIES AND BENEFITS POSITIONS 3,915.50
FROM GENERAL REVENUE FUND 105,852,717
FROM ADMINISTRATIVE TRUST FUND 17,066,799
FROM FEDERAL GRANTS TRUST FUND 49,576,347

449 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 811,449

450 EXPENSES
FROM GENERAL REVENUE FUND 12,612,743
FROM FEDERAL GRANTS TRUST FUND 1,073,469
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 404,252

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451 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 463,391
FROM FEDERAL GRANTS TRUST FUND 549,377

452 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,291,787

453 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,074,171

454 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES
FROM GENERAL REVENUE FUND 59,405,431
FROM TOBACCO SETTLEMENT TRUST FUND 2,000,000
FROM FEDERAL GRANTS TRUST FUND 13,468,713

From the funds provided in Specific Appropriation 454, $24,526,540 in recurring funds are provided to the Department of Children and Family Services to fund the annual payments required by the management agreement with GEO Care, Inc. for the operation of the South Florida Evaluation and Treatment Center.

From funds provided in Specific Appropriation 454, $2,000,000 in non-recurring tobacco settlement funds is provided to increase the bed capacity at the South Florida Evaluation and Treatment Center by 18 beds.

455 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 2,146,394
FROM OPERATIONS AND MAINTENANCE TRUST FUND 20,330,318

456 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS
FROM GENERAL REVENUE FUND 11,527,129
FROM FEDERAL GRANTS TRUST FUND 3,302,389
FROM OPERATIONS AND MAINTENANCE TRUST FUND 205,388

457 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,863,474

458 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 90,969

TOTAL: ADULT MENTAL HEALTH TREATMENT FACILITIES

FROM GENERAL REVENUE FUND 202,139,655
FROM TRUST FUNDS 107,977,052

TOTAL POSITIONS 3,915.50
TOTAL ALL FUNDS 310,116,707

ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 9,108,146

459 SALARIES AND BENEFITS POSITIONS 255.00
FROM GENERAL REVENUE FUND 3,003,018
FROM OPERATIONS AND MAINTENANCE TRUST FUND 8,810,160

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460 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 130,887
FROM OPERATIONS AND MAINTENANCE TRUST FUND 830,376

461 EXPENSES
FROM GENERAL REVENUE FUND 362,769
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,571,372

462 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,305
FROM OPERATIONS AND MAINTENANCE TRUST FUND 60,878

463 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 129,400
FROM OPERATIONS AND MAINTENANCE TRUST FUND 201,600

464 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 102,400

465 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 98,964
FROM OPERATIONS AND MAINTENANCE TRUST FUND 12,681

466 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,543
FROM OPERATIONS AND MAINTENANCE TRUST FUND 81,359

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES
FROM GENERAL REVENUE FUND 3,872,286
FROM TRUST FUNDS 11,568,426

TOTAL POSITIONS 255.00
TOTAL ALL FUNDS 15,440,712

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 2,492,359

467 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 1,326,726
FROM FEDERAL GRANTS TRUST FUND 1,557,473
FROM OPERATIONS AND MAINTENANCE TRUST FUND 678,044

468 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 265,605
FROM ADMINISTRATIVE TRUST FUND 55,000
FROM FEDERAL GRANTS TRUST FUND 885,798
FROM OPERATIONS AND MAINTENANCE TRUST FUND 180,648

469 EXPENSES
FROM GENERAL REVENUE FUND 457,137
FROM ADMINISTRATIVE TRUST FUND 6,380
FROM FEDERAL GRANTS TRUST FUND 631,969
FROM OPERATIONS AND MAINTENANCE TRUST FUND 385,564

470 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 11,900
FROM FEDERAL GRANTS TRUST FUND 5,000

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FROM OPERATIONS AND MAINTENANCE TRUST FUND 6,900

471 SPECIAL CATEGORIES
AGING AND ADULT SERVICES TRAINING AND EDUCATION
FROM FEDERAL GRANTS TRUST FUND 119,493

472 SPECIAL CATEGORIES
GRANTS AND AIDS - ALZHEIMER'S DISEASE PROJECTS/SERVICES
FROM GENERAL REVENUE FUND 6,932,571
FROM TOBACCO SETTLEMENT TRUST FUND 550,000

In addition to existing recurring projects, the following projects in Specific Appropriation 472 are funded from non-recurring tobacco settlement funds.

Memory Mobile (Alzheimer's Mobile Services for Rural Areas, Minority and Underserved Communities) - Charlotte, Citrus, Collier, DeSoto, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, Sarasota, Sumter..... 150,000
FGCU Center for Positive Aging - Charlotte..... 50,000
Alzheimer's Multicultural Outreach Program - Statewide..... 350,000

In addition to existing recurring projects, the following projects in Specific Appropriation 472 are funded from non-recurring general revenue funds.

Community Based Dementia-Specific Day Care - Palm Beach, St. Lucie..... 400,000
Alzheimer's Disease Florida Epidemic - Alachua..... 300,000

473 SPECIAL CATEGORIES
GRANTS AND AIDS - ALZHEIMERS DISEASE RESPITE SERVICES
FROM GENERAL REVENUE FUND 7,651,454

474 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY
FROM GENERAL REVENUE FUND 43,877,657
FROM TOBACCO SETTLEMENT TRUST FUND 11,770,633
FROM FEDERAL GRANTS TRUST FUND 249,025
FROM OPERATIONS AND MAINTENANCE TRUST FUND 738,969

From the funds in Specific Appropriation 474, $3,300,000 from non-recurring general revenue funds is provided for statewide implementation of Aging Resource Centers.

475 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND 2,132,767

476 SPECIAL CATEGORIES
GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM
FROM GENERAL REVENUE FUND 346,998
FROM FEDERAL GRANTS TRUST FUND 96,743,728

477 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 205,500
FROM ADMINISTRATIVE TRUST FUND 54,800
FROM FEDERAL GRANTS TRUST FUND 326,800
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND 90,700

478 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,747,340
FROM ADMINISTRATIVE TRUST FUND 31,397
FROM FEDERAL GRANTS TRUST FUND 7,562,916
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 741,886

From the funds in Specific Appropriation 478, $500,000 from the General Revenue Fund is provided to the department to become the fiscal intermediary for frail elders, adults with brain or spinal cord injuries, and adults with physical disabilities enrolled in the Consumer Directed Care Plus program.

480 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 28,003,726
FROM TOBACCO SETTLEMENT TRUST FUND 8,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 49,590,856

481 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM GENERAL REVENUE FUND 9,475,381
FROM TOBACCO SETTLEMENT TRUST FUND 5,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 18,711,251

482 SPECIAL CATEGORIES
ALZHEIMER'S DEMENTIA SPECIFIC MEDICAID WAIVER
FROM GENERAL REVENUE FUND 2,069,832
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,987,577

483 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAMS
FROM GENERAL REVENUE FUND 6,935,183
FROM TOBACCO SETTLEMENT TRUST FUND 1,184,000

In addition to existing recurring projects, the following projects in Specific Appropriation 483 are funded from non-recurring tobacco settlement funds:

Central and Northern Palm Beach County Holocaust Survivors Assistance Program - Palm Beach..... 50,000
Community Issue for the Elderly - Orange, Seminole..... 50,000
Holocaust Survivors Assistance Program - Palm Beach..... 100,000
Mildred & Claude Pepper Senior Center - Dade..... 100,000
Miramar Senior Center Expansion of Services - Broward..... 50,000
Home Care Services to Frail Elderly Individuals - Dade..... 50,000
Northeast Dade Senior Wellness Program - Dade..... 100,000
Renacer Seniors Program - Broward..... 100,000
Sarasota NORC - Manatee, Sarasota..... 100,000
Brief Intervention and Treatment for Elders (BRITE project) - Lee..... 284,000
Be HeadSmart, Seniors! Brain Injury and Falls Prevention Project - Statewide..... 50,000
Nassau Council on Aging - Nassau..... 100,000
Lake Mary Senior Center - Seminole..... 50,000

In addition to existing recurring projects, the following project in Specific Appropriation 483 are funded from non-recurring general revenue funds:

Seymour Gelber Adult Day Care Program - Dade..... 25,000
Elderly High-Risk Nutritional Meals Program - Dade..... 150,000
Continuation & Additional Congregate and Homebound Meal Services - Dade..... 50,000

484 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 50,928
FROM FEDERAL GRANTS TRUST FUND 8,171

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485 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,049
FROM FEDERAL GRANTS TRUST FUND 11,440
FROM OPERATIONS AND MAINTENANCE TRUST FUND 4,791

486 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SENIOR CITIZEN CENTERS
FROM GENERAL REVENUE FUND 5,000,000

Funds provided in Specific Appropriation 486 are for the construction of a senior citizen center in Martin County, which may be named the "Charlie and Rae Kane Senior Center," to meet the needs of a rising elder population in that county.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 116,366,987
FROM TRUST FUNDS 226,026,676

TOTAL POSITIONS 53.00
TOTAL ALL FUNDS 342,393,663

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,044,240

487 SALARIES AND BENEFITS POSITIONS 83.00
FROM GENERAL REVENUE FUND 2,046,945
FROM FEDERAL GRANTS TRUST FUND 2,671,678
FROM OPERATIONS AND MAINTENANCE TRUST FUND 702,302

488 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 135,774
FROM FEDERAL GRANTS TRUST FUND 605,047
FROM OPERATIONS AND MAINTENANCE TRUST FUND 405,687

489 EXPENSES
FROM GENERAL REVENUE FUND 249,599
FROM ADMINISTRATIVE TRUST FUND 5,929
FROM FEDERAL GRANTS TRUST FUND 1,182,258
FROM OPERATIONS AND MAINTENANCE TRUST FUND 19,165

490 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 2,000

491 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 50,200
FROM ADMINISTRATIVE TRUST FUND 27,400
FROM FEDERAL GRANTS TRUST FUND 836,500

492 SPECIAL CATEGORIES
LAWTON CHILES ENDOWMENT FUND PROGRAMS
FROM TOBACCO SETTLEMENT TRUST FUND 25,000

493 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 64,207
FROM FEDERAL GRANTS TRUST FUND 9,456

494 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,007
FROM FEDERAL GRANTS TRUST FUND 18,501

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FROM OPERATIONS AND MAINTENANCE TRUST FUND 4,091

495 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,288

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,560,732
FROM TRUST FUNDS 6,520,302

TOTAL POSITIONS 83.00
TOTAL ALL FUNDS 9,081,034

CONSUMER ADVOCATE SERVICES

APPROVED SALARY RATE 808,860

496 SALARIES AND BENEFITS POSITIONS 20.50
FROM GENERAL REVENUE FUND 520,434
FROM FEDERAL GRANTS TRUST FUND 517,408

497 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100
FROM FEDERAL GRANTS TRUST FUND 500,000

498 EXPENSES
FROM GENERAL REVENUE FUND 141,037
FROM FEDERAL GRANTS TRUST FUND 860

499 SPECIAL CATEGORIES
PUBLIC GUARDIANSHIP CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,927,527
FROM ADMINISTRATIVE TRUST FUND 154,816

500 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 20,700

501 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 10,949
FROM FEDERAL GRANTS TRUST FUND 1,297

502 SPECIAL CATEGORIES
LONG TERM CARE OMBUDSMAN COUNCIL
FROM GENERAL REVENUE FUND 981,985
FROM FEDERAL GRANTS TRUST FUND 422,080

503 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,791
FROM FEDERAL GRANTS TRUST FUND 5,758

TOTAL: CONSUMER ADVOCATE SERVICES
FROM GENERAL REVENUE FUND 3,608,523
FROM TRUST FUNDS 1,602,219

TOTAL POSITIONS 20.50
TOTAL ALL FUNDS 5,210,742

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE 12,894,689

504 SALARIES AND BENEFITS POSITIONS 291.50
FROM GENERAL REVENUE FUND 4,271,605

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FROM ADMINISTRATIVE TRUST FUND		11,368,958
FROM FEDERAL GRANTS TRUST FUND		1,090,384
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		59,533
505 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	406,013	
FROM ADMINISTRATIVE TRUST FUND		88,963
FROM FEDERAL GRANTS TRUST FUND		139,680
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		10,557
506 EXPENSES		
FROM GENERAL REVENUE FUND	3,241,897	
FROM ADMINISTRATIVE TRUST FUND		2,704,047
FROM FEDERAL GRANTS TRUST FUND		489,418
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		62,097
507 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	194,870	
FROM FEDERAL GRANTS TRUST FUND		31,500
508 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND		50,936
509 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	250,000	
FROM ADMINISTRATIVE TRUST FUND		200,000
FROM FEDERAL GRANTS TRUST FUND		75,000
510 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	218,285	
511 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	30,892	
FROM ADMINISTRATIVE TRUST FUND		82,220
FROM FEDERAL GRANTS TRUST FUND		7,886
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		431
TOTAL: ADMINISTRATIVE SUPPORT		
FROM GENERAL REVENUE FUND	8,613,562	
FROM TRUST FUNDS		16,461,610
TOTAL POSITIONS	291.50	
TOTAL ALL FUNDS		25,075,172

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 4,196,466

512 SALARIES AND BENEFITS POSITIONS	86.00	
FROM GENERAL REVENUE FUND	2,291,241	
FROM ADMINISTRATIVE TRUST FUND		2,597,227
FROM FEDERAL GRANTS TRUST FUND		134,681
513 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	55,000	
FROM ADMINISTRATIVE TRUST FUND		231,000
FROM FEDERAL GRANTS TRUST FUND		15,000
514 EXPENSES		
FROM GENERAL REVENUE FUND	6,762,586	
FROM ADMINISTRATIVE TRUST FUND		2,579,467
FROM FEDERAL GRANTS TRUST FUND		15,000

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515 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		933,554
FROM FEDERAL GRANTS TRUST FUND		3,500
516 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	3,100,000	
FROM ADMINISTRATIVE TRUST FUND		2,420,089
517 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,242	
518 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	16,021	
FROM ADMINISTRATIVE TRUST FUND		18,160
FROM FEDERAL GRANTS TRUST FUND		942
519 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM ADMINISTRATIVE TRUST FUND		3,801,305
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	12,238,090	
FROM TRUST FUNDS		12,749,925
TOTAL POSITIONS	86.00	
TOTAL ALL FUNDS		24,988,015

PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

APPROVED SALARY RATE 6,207,810

520 SALARIES AND BENEFITS POSITIONS	139.00	
FROM GENERAL REVENUE FUND	1,891,551	
FROM ADMINISTRATIVE TRUST FUND		155
FROM EPILEPSY SERVICES TRUST FUND		60,787
FROM FEDERAL GRANTS TRUST FUND		4,932,097
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,501
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		118,775
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		710,617
521 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	57,592	
FROM FEDERAL GRANTS TRUST FUND		210,028
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		207,326
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		50,775
522 EXPENSES		
FROM GENERAL REVENUE FUND	1,298,842	
FROM ADMINISTRATIVE TRUST FUND		10,237
FROM EPILEPSY SERVICES TRUST FUND		30,769
FROM FEDERAL GRANTS TRUST FUND		1,915,292
FROM GRANTS AND DONATIONS TRUST FUND . . .		4,273
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		220,713
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		442,786
523 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - FAMILY PLANNING SERVICES		
FROM GENERAL REVENUE FUND	5,631,269	
FROM FEDERAL GRANTS TRUST FUND		1,094,283

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524 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EPILEPSY SERVICES
FROM GENERAL REVENUE FUND 2,438,870

525 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EPILEPSY PREVENTION AND EDUCATION ACTIVITIES
FROM EPILEPSY SERVICES TRUST FUND 1,340,000

526 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM FEDERAL GRANTS TRUST FUND 104,423,591

527 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 5,538,446

528 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PRIMARY CARE PROGRAM
FROM GENERAL REVENUE FUND 23,027,692

529 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLUORIDATION PROJECT
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 150,000

530 AID TO LOCAL GOVERNMENTS
IMPROVED PREGNANCY OUTCOME PROGRAM
FROM GENERAL REVENUE FUND 34,571,786
FROM FEDERAL GRANTS TRUST FUND 21,558,562
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 2,332,124

531 AID TO LOCAL GOVERNMENTS
MATERNAL AND CHILD HEALTH SERVICES
FROM GENERAL REVENUE FUND 901,969
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 4,500,265

532 AID TO LOCAL GOVERNMENTS
SCHOOL HEALTH SERVICES
FROM GENERAL REVENUE FUND 4,368,956
FROM TOBACCO SETTLEMENT TRUST FUND 9,902,925
FROM FEDERAL GRANTS TRUST FUND 7,000,000
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 1,000,000

From Specific Appropriation 532, funds are provided from the Federal Grants Trust Fund for school health services using Title XXI federal funding.

533 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 22,000
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 40,000

534 SPECIAL CATEGORIES
GRANTS AND AIDS - PRIMARY CARE CHALLENGE GRANT WAIVER
FROM GENERAL REVENUE FUND 309,300

535 SPECIAL CATEGORIES
GRANTS AND AIDS - OUNCE OF PREVENTION
FROM GENERAL REVENUE FUND 3,000,000

536 SPECIAL CATEGORIES
GRANTS AND AIDS - CRISIS COUNSELING
FROM TOBACCO SETTLEMENT TRUST FUND 2,000,000

Funds in Specific Appropriation 536 shall be used to continue and enhance the Pregnancy Support Services Program in a manner consistent with EOG-ITN-264.

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537 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 84,000
FROM FEDERAL GRANTS TRUST FUND 275,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 6,334,675
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 155,000

538 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 7,675,000
FROM ADMINISTRATIVE TRUST FUND 100,000
FROM RAPE CRISIS PROGRAM TRUST FUND . . . 1,517,000
FROM TOBACCO SETTLEMENT TRUST FUND 843,000
FROM FEDERAL GRANTS TRUST FUND 6,421,020
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 1,500,000
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 119,630

In addition to existing projects in Specific Appropriation 538, the following projects are funded from non-recurring general revenue funds:

Nutrition Education and Outreach Program - Statewide..... 100,000
National Parkinson's Foundation Care Centers - Alachua, Broward, Collier, Dade, Duval, Hillsborough, Lee, Leon, Orange, Palm Beach..... 375,000

In addition to existing projects in Specific Appropriation 538, the following projects are funded from non-recurring tobacco settlement funds:

Breast Health Initiative for Teens - Duval..... 43,000
Florida Cancer Control Research Advisory Council (C-CRAB) to Develop Cervical Cancer Priorities - Statewide..... 75,000
Lakeland Volunteers in Medicine - Polk..... 50,000
Deerfield Beach High School Health Center - Broward..... 75,000
Obesity Prevention Programs in Florida - Statewide..... 200,000
Crohns and Colitis Study Completion - Statewide..... 50,000
Sexual Assault Victim Services - Statewide..... 100,000
New Parent Information Kit Pilot - Leon, Manatee, Martin.... 50,000
VisionQuest - Statewide..... 200,000

From the funds in Specific Appropriation 538, $2,500,000 of non-recurring general revenue funds shall be used to fund the Hispanic Obesity Prevention Education (HOPE) Program pursuant to the procurement provisions in section 287.057(5)(f)6., Florida Statutes.

From the funds in Specific Appropriation 538, $1,500,000 of non-recurring maternal and child health block grant funds shall be used to fund statewide abstinence programs.

539 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 3,014,217
FROM FEDERAL GRANTS TRUST FUND 2,388,004

540 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 12,686

541 SPECIAL CATEGORIES
FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION
FROM TOBACCO SETTLEMENT TRUST FUND 8,500,000

From the funds provided in Specific Appropriation 541, the Department of Health shall limit administrative costs to no more than 5 percent.

542 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,267

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543 SPECIAL CATEGORIES		
WOMEN, INFANTS AND CHILDREN (WIC)		
FROM FEDERAL GRANTS TRUST FUND		240,962,190
544 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	13,991	
FROM ADMINISTRATIVE TRUST FUND		1
FROM FEDERAL GRANTS TRUST FUND		36,864
FROM GRANTS AND DONATIONS TRUST FUND . . .		19
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		888
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		5,311
TOTAL: FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES		
FROM GENERAL REVENUE FUND	93,856,748	
FROM TRUST FUNDS		433,453,169
TOTAL POSITIONS	139.00	
TOTAL ALL FUNDS		527,309,917

INFECTIOUS DISEASE CONTROL

APPROVED SALARY RATE 13,797,207

545 SALARIES AND BENEFITS POSITIONS	372.00	
FROM GENERAL REVENUE FUND	6,211,449	
FROM FEDERAL GRANTS TRUST FUND		8,127,235
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,831,764
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		63,198
546 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	54,696	
FROM FEDERAL GRANTS TRUST FUND		596,922
FROM OPERATIONS AND MAINTENANCE TRUST FUND		51,211
547 EXPENSES		
FROM GENERAL REVENUE FUND	2,981,992	
FROM FEDERAL GRANTS TRUST FUND		8,499,651
FROM GRANTS AND DONATIONS TRUST FUND . . .		173,537
FROM OPERATIONS AND MAINTENANCE TRUST FUND		839,464
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		158,774
548 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - AIDS PATIENT CARE		
FROM GENERAL REVENUE FUND	12,728,792	
FROM TOBACCO SETTLEMENT TRUST FUND		500,000
FROM FEDERAL GRANTS TRUST FUND		7,133,137
549 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - RYAN WHITE CONSORTIA		
FROM FEDERAL GRANTS TRUST FUND		20,754,358

Funds in Specific Appropriation 549 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of General Revenue Funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

550 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS		
FROM GENERAL REVENUE FUND	11,122,458	
551 AID TO LOCAL GOVERNMENTS		
CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	14,555,795	
FROM TOBACCO SETTLEMENT TRUST FUND		2,601,849
552 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	38,295	
FROM FEDERAL GRANTS TRUST FUND		178,326
553 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	92,548	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		308,213
554 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	470,000	
FROM FEDERAL GRANTS TRUST FUND		3,000,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		12,000
555 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	983,673	
FROM TOBACCO SETTLEMENT TRUST FUND		50,000
FROM FEDERAL GRANTS TRUST FUND		8,971,599

In addition to existing projects in Specific Appropriation 555, the following project is funded from non-recurring tobacco settlement funds:

HIV/AIDS - Broward..... 50,000

556 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	259,540	
557 SPECIAL CATEGORIES		
GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM		
FROM GENERAL REVENUE FUND	5,494,685	
FROM FEDERAL GRANTS TRUST FUND		4,891,498
559 SPECIAL CATEGORIES		
HOSPITAL REIMBURSEMENT		
FROM GENERAL REVENUE FUND	832,801	
560 SPECIAL CATEGORIES		
PURCHASED CLIENT SERVICES		
FROM GENERAL REVENUE FUND	158,258	
561 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	115,471	
562 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	51,011	
FROM FEDERAL GRANTS TRUST FUND		66,585
FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,432
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,410
563 SPECIAL CATEGORIES		
OUTREACH FOR PREGNANT WOMEN		
FROM GENERAL REVENUE FUND	500,000	
TOTAL: INFECTIOUS DISEASE CONTROL		
FROM GENERAL REVENUE FUND	56,651,464	
FROM TRUST FUNDS		70,845,163

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TOTAL POSITIONS	372.00	
TOTAL ALL FUNDS		127,496,627

ENVIRONMENTAL HEALTH SERVICES

APPROVED SALARY RATE 8,732,104

564	SALARIES AND BENEFITS POSITIONS	200.50	
	FROM GENERAL REVENUE FUND	1,781,560	
	FROM ADMINISTRATIVE TRUST FUND		3,164,588
	FROM FEDERAL GRANTS TRUST FUND		634,650
	FROM GRANTS AND DONATIONS TRUST FUND . . .		194,934
	FROM RADIATION PROTECTION TRUST FUND . . .		5,715,527
565	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,464	
	FROM ADMINISTRATIVE TRUST FUND		71,060
	FROM FEDERAL GRANTS TRUST FUND		131,791
	FROM GRANTS AND DONATIONS TRUST FUND . . .		130,415
	FROM RADIATION PROTECTION TRUST FUND . . .		33,393
566	EXPENSES		
	FROM GENERAL REVENUE FUND	560,489	
	FROM ADMINISTRATIVE TRUST FUND		1,114,529
	FROM TOBACCO SETTLEMENT TRUST FUND		250,000
	FROM FEDERAL GRANTS TRUST FUND		244,204
	FROM GRANTS AND DONATIONS TRUST FUND . . .		253,409
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		3,354
	FROM RADIATION PROTECTION TRUST FUND . . .		1,637,669

From the funds in Specific Appropriation 566, $250,000 in non-recurring tobacco settlement funds are provided to the Department of Health to conduct or contract for a study to further identify and quantify the nitrogen loading from onsite wastewater treatment systems (OWTS) within the Wekiva Study Area. The objectives of the study shall be determined by the department's Research Review and Advisory Committee, which shall also have oversight of the study. The department shall provide a report to the Executive Office of the Governor, President of the Senate, and the Speaker of the House of Representatives no later than June 30, 2007. The report shall assess whether OWTS are a significant source of nitrogen to the underlying groundwater relative to other sources and shall recommend a range of possible cost-effective OWTS nitrogen reduction strategies if contributions are significant.

567	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	4,179,722	
	FROM ADMINISTRATIVE TRUST FUND		1,722,436
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,004,571
568	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND		8,248
	FROM RADIATION PROTECTION TRUST FUND . . .		56,997
569	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM RADIATION PROTECTION TRUST FUND . . .		210,856
570	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	450,000	
	FROM ADMINISTRATIVE TRUST FUND		190,000
	FROM FEDERAL GRANTS TRUST FUND		600,000
	FROM RADIATION PROTECTION TRUST FUND . . .		200,000
571	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		750,000
572	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	438,955	
	FROM RADIATION PROTECTION TRUST FUND . . .		14,575

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573	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	12,644	
	FROM ADMINISTRATIVE TRUST FUND		22,460
	FROM FEDERAL GRANTS TRUST FUND		4,504
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,383
	FROM RADIATION PROTECTION TRUST FUND . . .		40,565
574	SPECIAL CATEGORIES STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE (SUPER) ACT REIMBURSEMENT		
	FROM ADMINISTRATIVE TRUST FUND		434,775
TOTAL: ENVIRONMENTAL HEALTH SERVICES			
	FROM GENERAL REVENUE FUND	7,425,834	
	FROM TRUST FUNDS		18,855,893
	TOTAL POSITIONS	200.50	
	TOTAL ALL FUNDS		26,281,727

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

575	SALARIES AND BENEFITS		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		570,178,193
576	OTHER PERSONAL SERVICES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		36,536,335
577	EXPENSES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		123,516,993
578	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		2,200,000
579	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - AIDS PATIENT CARE		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		3,544,893
580	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - CONSTRUCTION AND RENOVATION OF COUNTY HEALTH UNIT FACILITIES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		7,533,960
581	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - MINORITY HEALTH INITIATIVES		
	FROM GENERAL REVENUE FUND	5,602,500	
	FROM TOBACCO SETTLEMENT TRUST FUND		110,000

In addition to existing projects in Specific Appropriation 581, the following projects are funded from non-recurring tobacco settlement funds:

Jessie Trice Cancer Project - Statewide.....	100,000
Community Environmental Health (CEHAB) - Statewide.....	10,000

582	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	183,309,751	
	FROM TOBACCO SETTLEMENT TRUST FUND		4,000,000
583	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PRIMARY CARE PROGRAM		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		13,189,860
584	AID TO LOCAL GOVERNMENTS COMMUNITY HEALTH INITIATIVES		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		500,000

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585 OPERATING CAPITAL OUTLAY
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 10,263,621

586 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 2,700,000

587 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 33,337,276

588 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,190,600
FROM TOBACCO SETTLEMENT TRUST FUND 3,500,000
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 27,500

In addition to existing projects in Specific Appropriation 588, the following projects are funded from non-recurring tobacco settlement funds:

Community Environmental Health Project (CATE) - Escambia.... 100,000
Community Smiles - Dade..... 50,000
Community Medical Care Center - Lake, Sumter..... 100,000
Dover Health Center - Hillsborough..... 500,000
Pepin Heart Institute - Statewide..... 2,500,000
Krug Health Center - Hillsborough..... 75,000
Suncoast Family Care Center - Hillsborough..... 75,000
Islet Cell Transplantation Project to
Cure Diabetes - Statewide..... 100,000

From the funds in Specific Appropriation 588,the following project is funded from non-recurring general revenue funds:

Safe Haven for Newborns - Statewide..... 100,000

589 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 3,683,893

590 FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, AND EQUIPMENT -
COUNTY HEALTH DEPARTMENTS
FROM GENERAL REVENUE FUND 4,424,500
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 16,682,960

From the funds in Specific Appropriation 590, $4,424,500 from non-recurring general revenue funds is provided for the following:

Charlotte County Health Department..... 4,374,500
Lake Wales Clinic - Polk..... 50,000

From the funds in Specific Appropriation 590, $16,682,960 from non-recurring county health department trust funds is provided for the following:

Palm Beach County Health Department..... 3,721,900
Dade County Health Department..... 8,000,000
Broward County Health Department..... 2,262,000
Volusia County Health Department..... 1,737,500
Bay County Health Department..... 961,560

590A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FAMILY HEALTH FACILITIES
FROM TOBACCO SETTLEMENT TRUST FUND 2,005,000

From the funds in Specific Appropriation 590A, the following projects are funded from non-recurring tobacco settlement funds:

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New Parrish Family Health Care Center - DeSoto, Hardee,
Manatee, Sarasota..... 100,000
Sacred Heart Children's Research and Teaching
Facility - Escambia, Santa Rosa..... 1,375,000
UF Archer Rural Family Health Clinic - Alachua..... 530,000

TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS
FROM GENERAL REVENUE FUND 196,527,351
FROM TRUST FUNDS 833,510,484

TOTAL ALL FUNDS 1030,037,835

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 22,192,887

591 SALARIES AND BENEFITS POSITIONS 607.50
FROM GENERAL REVENUE FUND 10,845,449
FROM ADMINISTRATIVE TRUST FUND 403,209
FROM DRUGS, DEVICES AND COSMETIC TRUST
FUND 1,496,135
FROM EMERGENCY MEDICAL SERVICES TRUST
FUND 2,709,635
FROM FEDERAL GRANTS TRUST FUND 4,073,173
FROM GRANTS AND DONATIONS TRUST FUND . . . 223,117
FROM NURSING STUDENT LOAN FORGIVENESS
TRUST FUND 143,007
FROM PLANNING AND EVALUATION TRUST FUND . 8,791,897
FROM PREVENTIVE HEALTH SERVICES BLOCK
GRANT TRUST FUND 215,696

592 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,281
FROM DRUGS, DEVICES AND COSMETIC TRUST
FUND 6,704
FROM EMERGENCY MEDICAL SERVICES TRUST
FUND 149,583
FROM FEDERAL GRANTS TRUST FUND 214,561
FROM PLANNING AND EVALUATION TRUST FUND . 501,944

593 EXPENSES
FROM GENERAL REVENUE FUND 2,258,202
FROM ADMINISTRATIVE TRUST FUND 435,325
FROM DRUGS, DEVICES AND COSMETIC TRUST
FUND 411,389
FROM EMERGENCY MEDICAL SERVICES TRUST
FUND 791,318
FROM FEDERAL GRANTS TRUST FUND 3,887,250
FROM FLORIDA CENTER FOR NURSING 23,946
FROM GRANTS AND DONATIONS TRUST FUND . . . 233,414
FROM NURSING STUDENT LOAN FORGIVENESS
TRUST FUND 37,714
FROM PLANNING AND EVALUATION TRUST FUND . 8,385,638
FROM PREVENTIVE HEALTH SERVICES BLOCK
GRANT TRUST FUND 27,002

From the funds provided in Specific Appropriation 593, $250,000 in recurring general revenue funds shall be used to support the Statewide Council on Deafness.

594 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL
SERVICES COUNTY GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST
FUND 6,461,675

595 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL
SERVICES MATCHING GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST
FUND 4,681,461

596 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 180,000

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FROM EMERGENCY MEDICAL SERVICES TRUST FUND		1,932
FROM FEDERAL GRANTS TRUST FUND		383,366
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		6,000
FROM PLANNING AND EVALUATION TRUST FUND		128,302

597 SPECIAL CATEGORIES
GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS

FROM FEDERAL GRANTS TRUST FUND		45,876,670

598 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	470,000	
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		38,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		669,958
FROM FEDERAL GRANTS TRUST FUND		507,500
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		20,000
FROM PLANNING AND EVALUATION TRUST FUND		4,141,980

599 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	500,000	

600 SPECIAL CATEGORIES
DRUGS, VACCINES AND OTHER BIOLOGICALS

FROM GENERAL REVENUE FUND	14,187,228	
FROM TOBACCO SETTLEMENT TRUST FUND		11,702,062
FROM FEDERAL GRANTS TRUST FUND		91,631,606

Funds in Specific Appropriation 600 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state General Revenue Funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

601 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM

FROM BIOMEDICAL RESEARCH TRUST FUND		9,500,000

From the funds in Specific Appropriation 601, up to $50,000 shall be used for collaborative biomedical research projects within the state's historically black colleges and universities.

602 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	7,340,696	

603 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS

FROM FEDERAL GRANTS TRUST FUND		1,000,000

604 SPECIAL CATEGORIES
GRANTS AND AIDS - TRAUMA CARE

FROM ADMINISTRATIVE TRUST FUND		7,500,000
FROM TOBACCO SETTLEMENT TRUST FUND		500,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		93,747

From the funds in Specific Appropriation 604, $500,000 from non-recurring tobacco settlement funds is provided for a Trauma Center Start-up Grant Program. Funds shall be distributed to hospitals that are at least 100 miles from the closest trauma center, have submitted a letter of intent to become a trauma center, and receive a local funding contribution as defined by rule, unless trauma center start-up grant program legislation is enacted, in which case funds shall be distributed in accordance with such legislation.

605 SPECIAL CATEGORIES
GRANTS AND AID - NURSING STUDENT LOAN REIMBURSEMENT/ SCHOLARSHIPS

FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		1,650,194

606 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	95,699	
FROM ADMINISTRATIVE TRUST FUND		3,558
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		13,202
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		23,909
FROM FEDERAL GRANTS TRUST FUND		35,941
FROM GRANTS AND DONATIONS TRUST FUND		1,969
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		1,262
FROM PLANNING AND EVALUATION TRUST FUND		73,166
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		2,233

607 FIXED CAPITAL OUTLAY
HEALTH FACILITIES REPAIR AND MAINTENANCE - STATEWIDE

FROM GENERAL REVENUE FUND	4,567,248	
FROM PLANNING AND EVALUATION TRUST FUND		319,000

From the funds in Specific Appropriation 607, $440,000 from non-recurring general revenue funds is provided for code corrections at the A. G. Holley State Hospital.

From the funds in Specific Appropriation 607, $4,127,248 from non-recurring general revenue funds is provided for maintenance and repairs at the following facilities:

Jacksonville Lab	2,331,775
Lantana Lab	379,533
Miami Lab	526,920
Pensacola Lab	55,000
A. G. Holley State Hospital	834,020

From the funds in Specific Appropriation 607, $319,000 from non-recurring planning and evaluation trust funds is provided for the Duval County lab storage building.

TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

FROM GENERAL REVENUE FUND	40,452,803	
FROM TRUST FUNDS		220,135,350
TOTAL POSITIONS	607.50	
TOTAL ALL FUNDS		260,588,153

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 29,840,102

608 SALARIES AND BENEFITS POSITIONS 751.00

FROM GENERAL REVENUE FUND	19,218,908	
FROM DONATIONS TRUST FUND		13,578,264
FROM FEDERAL GRANTS TRUST FUND		5,136,332

609 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	2,011,676	

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FROM DONATIONS TRUST FUND		89,063
FROM FEDERAL GRANTS TRUST FUND		388,687
610 EXPENSES		
FROM GENERAL REVENUE FUND	2,492,244	
FROM DONATIONS TRUST FUND		2,868,103
FROM FEDERAL GRANTS TRUST FUND		2,503,770
611 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	46,970	
FROM FEDERAL GRANTS TRUST FUND		106,825
612 SPECIAL CATEGORIES		
CLEFT LIP, CLEFT PALATE AND CRANIO-FACIAL ANOMALY PROGRAM		
FROM GENERAL REVENUE FUND	1,325,153	
613 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK		
FROM DONATIONS TRUST FUND		57,191,383
614 SPECIAL CATEGORIES		
REGIONAL GENETICS PROGRAM		
FROM GENERAL REVENUE FUND	995,456	
615 SPECIAL CATEGORIES		
SICKLE CELL EDUCATION AND SCREENING		
FROM GENERAL REVENUE FUND	1,310,686	
616 SPECIAL CATEGORIES		
GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN		
FROM GENERAL REVENUE FUND	11,869,019	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,763,295
617 SPECIAL CATEGORIES		
GRANTS AND AIDS - PRIMARY CARE PROGRAM		
FROM GENERAL REVENUE FUND	3,875,809	
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,889,787
618 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	4,291,239	
FROM TOBACCO SETTLEMENT TRUST FUND		1,915,683
FROM DONATIONS TRUST FUND		222,510
FROM FEDERAL GRANTS TRUST FUND		866,624
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,864,776
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		93,539

From the funds provided in Specific Appropriation 618, $565,072 in non-recurring maternal child health block grant funds is provided for planning the integration of the Children's Medical Services Case Management Data System into the new Health Management System. Prior to the release of funds, the Department of Health shall submit a report validating the completion and deployment of the Health Management System to be approved by the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

619 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	830,000	
FROM TOBACCO SETTLEMENT TRUST FUND		425,000

In addition to existing projects in Specific Appropriation 619, the following projects are funded from non-recurring tobacco settlement funds:

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Newborn Hearing Screening Follow-up Program - Statewide.....	100,000
Children's Heart Center at St. Joseph's - Hillsborough.....	100,000
Fetal Alcohol Spectrum Disorder Program - Duval.....	75,000

In addition to existing projects in Specific Appropriation 619, the following project is funded from recurring general revenue funds:

Fetal Alcohol Spectrum Disorder Program - Sarasota.....	380,000

In addition to existing projects in Specific Appropriation 619, the following projects are funded from non-recurring general revenue funds:

Children's Heart Center at St. Joseph's - Hillsborough.....	250,000
Shaken Baby Syndrome "Coping with Crying" Education and Awareness Program - Statewide.....	200,000

From the funds in Specific Appropriation 619, $150,000 in non-recurring tobacco settlement funds shall be used to contract with the Mailman Center for Child Development at the University of Miami for the Fragile X Pilot Project. This pilot project is to be supplemental to existing or ongoing contracts that the Mailman Center might have with Children's Medical Services. The Mailman Center will be responsible for establishing Institutional Review Board approval, agreements and subcontracts necessary for carrying out this project. This project will entail obtaining written informed consent to use blood spots collected at the same time as blood spots used for universal newborn screening in Florida, with consent for this pilot to be obtained at the time of newborn hearing screening. This project will also provide the infrastructure for an intervention grant to the Research Triangle Institute and the Mailman Center from the Centers for Disease Control and Prevention, with possible supplemental support from National Institute of Child Health and Human Development and the Maternal and Child Health Bureau.

620 SPECIAL CATEGORIES		
MASTER CONTRACTS		
FROM GENERAL REVENUE FUND	1,182,293	
FROM TOBACCO SETTLEMENT TRUST FUND		4,280,856
621 SPECIAL CATEGORIES		
GRANTS AND AIDS - INFANT/TODDLERS STEP-DOWN		
FROM GENERAL REVENUE FUND	602,673	
622 SPECIAL CATEGORIES		
KIDNEY DISEASE PROGRAM FOR CHILDREN		
FROM GENERAL REVENUE FUND	1,163,077	
623 SPECIAL CATEGORIES		
PURCHASED CLIENT SERVICE - CLINIC AND FIELD OPERATIONS		
FROM GENERAL REVENUE FUND	4,539,181	
FROM TOBACCO SETTLEMENT TRUST FUND		5,893,657
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		6,181,936
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,519,724

From the funds in Specific Appropriation 623, the following project is funded from non-recurring tobacco settlement funds:

CMS - Transition Services for Adolescent and Young Adults with Disabilities - Baker, Clay, Duval, Nassau, St. Johns	300,000

624 SPECIAL CATEGORIES		
POISON CONTROL CENTER		
FROM GENERAL REVENUE FUND	3,000,000	

From the funds in Specific Appropriation 624, $1,308,537 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low-Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to poison control centers.

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625 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 503,484

626 SPECIAL CATEGORIES
PEDIATRIC LIVER TRANSPLANT PROGRAM
FROM GENERAL REVENUE FUND 250,441
FROM TOBACCO SETTLEMENT TRUST FUND 100,000

627 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL,
EVALUATION AND INTERVENTION SERVICES
FROM GENERAL REVENUE FUND 19,334,202
FROM TOBACCO SETTLEMENT TRUST FUND 3,817,556
FROM FEDERAL GRANTS TRUST FUND 2,850,185

Funds in Specific Appropriation 627 include an increase of $5,000,000 in general revenue funds to serve additional children in the Early Steps Program.

From the funds in Specific Appropriation 627, $450,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, the remaining funds may be used secondarily for payments to identified teaching or specialty hospitals.

From the funds in Specific Appropriation 627, the Department of Health shall limit administrative costs to no more than 5 percent.

628 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION
AND INTERVENTION SERVICES/PART C
FROM GENERAL REVENUE FUND 1,234,850
FROM FEDERAL GRANTS TRUST FUND 19,237,682

From the General Revenue Funds in Specific Appropriation 628, $1,234,850 is provided as the state matching funds for Medicaid reimbursable early intervention services in Specific Appropriation 206.

If the state match for the Medicaid early intervention services is insufficient to cover the cost of the entitlement, the Department of Health is authorized to transfer the necessary amount in general revenue funds between Specific Appropriations 627 and 628.

629 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PERINATAL
INTENSIVE CARE CENTER/ PERINATAL SUPPORT
SERVICES
FROM GENERAL REVENUE FUND 1,421,183
FROM MATERNAL AND CHILD HEALTH BLOCK
GRANT TRUST FUND 266,301

630 SPECIAL CATEGORIES
CHILDREN'S CARDIAC PROGRAM
FROM GENERAL REVENUE FUND 837,163
FROM TOBACCO SETTLEMENT TRUST FUND 100,000

631 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 162,045
FROM DONATIONS TRUST FUND 114,486
FROM FEDERAL GRANTS TRUST FUND 43,307

632 SPECIAL CATEGORIES
GRANTS AND AIDS - PEDIATRIC ACQUIRED
IMMUNE DEFICIENCY SYNDROME NETWORK
FROM GENERAL REVENUE FUND 2,119,231

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632A FIXED CAPITAL OUTLAY
HEALTH FACILITIES REPAIR AND MAINTENANCE -
STATEWIDE
FROM GENERAL REVENUE FUND 187,724

From the funds in Specific Appropriation 632A, $110,000 from non-recurring general revenue funds is provided for code corrections at the West Palm Beach Children's Medical Services Clinic.

From the funds in Specific Appropriation 632A, $77,724 from non-recurring general revenue funds is provided for maintenance and repairs at the following facilities:

Ft. Pierce Children's Medical Services Clinic..... 33,724
West Palm Beach Children's Medical Services Clinic..... 44,000

632B FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, EQUIPMENT -
CHILDREN'S MEDICAL SERVICES FACILITIES
FROM GENERAL REVENUE FUND 5,242,200
FROM TOBACCO SETTLEMENT TRUST FUND 483,000

From the funds in Specific Appropriation 632B, the following project is funded from non-recurring general revenue funds:

Children's Medical Services Building - Brevard..... 5,242,200

From the funds in Specific Appropriation 632B, the following project is funded from non-recurring tobacco settlement funds:

Children's Medical Services Building - Alachua..... 483,000

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 90,046,907
FROM TRUST FUNDS 139,792,331

TOTAL POSITIONS 751.00
TOTAL ALL FUNDS 229,839,238

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE 20,465,839

633 SALARIES AND BENEFITS POSITIONS 576.50
FROM MEDICAL QUALITY ASSURANCE TRUST
FUND 27,004,434

634 OTHER PERSONAL SERVICES
FROM MEDICAL QUALITY ASSURANCE TRUST
FUND 4,995,056

635 EXPENSES
FROM MEDICAL QUALITY ASSURANCE TRUST
FUND 11,855,659

From the funds in Specific Appropriation 635, an additional $75,000 in recurring medical quality assurance funds are provided for the Intervention Program for Nurses.

From the funds in Specific Appropriations 633 and 635, $210,000 of recurring medical quality assurance funds are provided to the Division of Health Access and Tobacco in the Department of Health to monitor, evaluate and report on the supply and distribution of physicians licensed under chapters 458 and 459. The division shall develop a strategy to track and analyze the distribution of state licensed physicians by specialty and geographic location using data that are available from public and private sources.

From the funds in Specific Appropriation 635, $150,000 from non-recurring medical quality assurance funds are provided for the

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Department of Health to conduct a survey of dentists in Medicaid Services areas one and two of the Agency for Health Care Administration to determine whether Florida licensed dentists in such areas are retired or working full time or part time. The department shall submit a report to the Executive Office of the Governor, chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by May 1, 2007.

636 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 56,304

637 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,000

638 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 2,416,633

639 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 2,458,415

640 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 401,325

641 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 6,000,000

642 SPECIAL CATEGORIES
DEPARTMENTAL STAFF DEVELOPMENT AND TRAINING
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 52,600

643 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 224,222

644 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 243,427

TOTAL: MEDICAL QUALITY ASSURANCE
FROM TRUST FUNDS 55,721,075

TOTAL POSITIONS 576.50
TOTAL ALL FUNDS 55,721,075

COMMUNITY HEALTH RESOURCES

The Department of Health is directed to apply for matching funds for rural health education, emergency preparedness, and rural economic development, enabling private funds to be used as part of the state match.

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APPROVED SALARY RATE 3,653,582

645 SALARIES AND BENEFITS POSITIONS 97.50
FROM GENERAL REVENUE FUND 915,284
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 293,159
FROM FEDERAL GRANTS TRUST FUND 650,741
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 2,797,183

646 OTHER PERSONAL SERVICES
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 10,000
FROM FEDERAL GRANTS TRUST FUND 109,770
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 24,000

647 EXPENSES
FROM GENERAL REVENUE FUND 136,316
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 250,945
FROM FEDERAL GRANTS TRUST FUND 742,304
FROM GRANTS AND DONATIONS TRUST FUND . . . 33,310
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 730,725

648 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 94,440

649 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY HEALTH CENTERS
FROM GENERAL REVENUE FUND 1,500,000
FROM FEDERAL GRANTS TRUST FUND 4,299,270
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,500,000

The funds in Specific Appropriation 649 shall be contracted through a competitive bid process to federally qualified community health centers in rural and medically underserved areas. The federally qualified community health centers shall be required to provide local matching funds in an amount equal to the state amount.

From the funds in Specific Appropriation 649, $1,500,000 from the General Revenue Fund and $1,500,000 from the Grants and Donations Trust Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments as described above.

650 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HEALTH COUNCILS
FROM TOBACCO SETTLEMENT TRUST FUND 100,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 906,000

651 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 12,850
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 9,000

652 SPECIAL CATEGORIES
AREA HEALTH EDUCATION CENTERS
FROM GENERAL REVENUE FUND 11,808,910

653 SPECIAL CATEGORIES
COMMUNITY HOSPITAL EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 14,500,000

From the funds in Specific Appropriation 653, $14,425,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining

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funds may be used secondarily for payments to Community Health Education Programs or payments to identified family practice teaching or specialty hospitals.

654 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 16,159
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 623
FROM FEDERAL GRANTS TRUST FUND 384,482
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 391,923

655 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,278,623
FROM TOBACCO SETTLEMENT TRUST FUND 5,025,000
FROM FEDERAL GRANTS TRUST FUND 437,153
FROM GRANTS AND DONATIONS TRUST FUND . . . 535,000
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 500,000

From the funds in Specific Appropriation 655, $2,000,000 in recurring general revenue funds, $1,000,000 in recurring tobacco settlement funds, and $2,600,000 in non-recurring tobacco settlement funds shall be used to fund tobacco awareness and use reduction education programs.

From the funds in Specific Appropriation 655, $400,000 in non-recurring tobacco settlement funds shall be provided to the Florida Public Health Foundation.

From the funds in Specific Appropriation 655, the following projects are funded from non-recurring tobacco settlement funds:

Clearwater Free Clinic ARNP Program - Pinellas..... 100,000
Pediatric Care and Ultrasound Project - Charlotte, Hendry, Lee..... 100,000
San Juan Bosco Clinic - Dade..... 75,000
Brain Tumor Research (McKnight Brain Institute) - Statewide. 500,000

From the funds in Specific Appropriation 655, $250,000 in non-recurring tobacco settlement funds shall be provided for a demonstration project in a skilled nursing facility (SNF) in Miami-Dade county to test the provision of direct services and to develop clinical standards of care for ventilation dependent patients. Patients selected for the project will be transferred from state approved trauma centers. For the purpose of the project, the department may reimburse the selected SNF an enhanced Medicaid rate. The project shall be limited to no more than 25 patients. The agency is authorized to seek federal Medicaid waivers as necessary to implement this project.

From the funds in Specific Appropriation 655, the following project is funded from non-recurring grants and donation trust funds:

Dan Marino Foundation Inc.(Swimming Certification Program) - Broward..... 535,000

From the funds in Specific Appropriation 655, the following project is funded from non-recurring general revenue funds:

Community Health Advocacy Partnership - Hillsborough..... 500,000

656 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS
FROM GENERAL REVENUE FUND 500,000
FROM FEDERAL GRANTS TRUST FUND 574,305

657 SPECIAL CATEGORIES
GRANTS AND AIDS - SHANDS TEACHING HOSPITAL
FROM GENERAL REVENUE FUND 9,786,979

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From the funds in Specific Appropriation 657, $9,786,979 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare.

657A SPECIAL CATEGORIES
GRANTS AND AIDS - JACKSON MEMORIAL HOSPITAL
FROM GENERAL REVENUE FUND 8,246,000

From the funds in Specific Appropriation 657A, $8,246,000 in non-recurring general revenue funds are provided to Jackson Memorial Hospital for indigent care services. The funds provided to Jackson Memorial Hospital may be used as state matching funds by the Agency for Health Care Administration for State Fiscal Year 2006-2007 to increase the Medicaid inpatient and outpatient rates for the hospital.

657B SPECIAL CATEGORIES
GRANTS AND AIDS - BAY MEDICAL CENTER
FROM GENERAL REVENUE FUND 4,000,000

From the funds in Specific Appropriation 657B, $4,000,000 in non-recurring general revenue funds are provided to Bay County Medical Center for uncompensated care and countywide Emergency Medical Services services.

658 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 1,050,000
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 18,075,572

From the funds in Specific Appropriation 658, $899,761 from the Brain and Spinal Cord Injury Trust Fund shall be used to provide services to 25 additional individuals in the Medicaid Home and Community-Based Waiver Program.

From the funds in Specific Appropriation 658, $1,050,000 in non-recurring general revenue funds is provided for the purpose of developing a Nursing Home Transition Initiative pilot project in Miami-Dade County for individuals with traumatic brain and spinal cord injuries. These funds shall be used to prevent unnecessary nursing home placement or to transition individuals from nursing homes to the community. Authorized expenditures include the following: retention of a community reintegration coordinator and specialist; follow-up assessments of all individuals in skilled nursing facilities identified in the Brain and Spinal Cord Injury Program annual nursing home survey; housing assistance, including rent and utility deposits; basic and essential household items; home and vehicle modifications; durable medical equipment and supplies; and assistive technology assessments and devices to enhance function, safety and independence. Individuals requiring long-term community based supports are to be referred to all appropriate federal, state and community programs.

659 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 21,225

660 SPECIAL CATEGORIES
GRANTS AND AIDS - SPINAL CORD RESEARCH
FROM GENERAL REVENUE FUND 750,000
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 1,000,000

From the funds in Specific Appropriation 660,the following project is funded from non-recurring general revenue funds:

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Brain and Spinal Cord Injury Research - University of Miami. 750,000

661 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,801
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 2,499
FROM FEDERAL GRANTS TRUST FUND 5,546
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 23,841

662 SPECIAL CATEGORIES
MEDICALLY FRAGILE ENHANCEMENT PAYMENT
FROM GENERAL REVENUE FUND 610,020

662A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
RURAL HOSPITALS
FROM GENERAL REVENUE FUND 3,000,000

From the funds in Specific Appropriation 662A, $3,000,000 in non-recurring general revenue funds are provided for the Rural Hospital Capital Improvement Grant Program and shall be allocated in accordance with the grant process in section 395.6061, Florida Statutes.

TOTAL: COMMUNITY HEALTH RESOURCES
FROM GENERAL REVENUE FUND 61,200,532
FROM TRUST FUNDS 39,446,426

TOTAL POSITIONS 97.50
TOTAL ALL FUNDS 100,646,958

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE 816,277

663 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 557,971
FROM FEDERAL GRANTS TRUST FUND 536,700
FROM U.S. TRUST FUND 46,285,634

664 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 83,500
FROM FEDERAL GRANTS TRUST FUND 83,500
FROM U.S. TRUST FUND 10,645,515

665 EXPENSES
FROM GENERAL REVENUE FUND 355,277
FROM FEDERAL GRANTS TRUST FUND 361,277
FROM U.S. TRUST FUND 36,391,035

666 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000
FROM FEDERAL GRANTS TRUST FUND 5,000
FROM U.S. TRUST FUND 150,000

667 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 28,515
FROM FEDERAL GRANTS TRUST FUND 28,515
FROM U.S. TRUST FUND 2,762,706

668 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,125
FROM FEDERAL GRANTS TRUST FUND 2,126
FROM U.S. TRUST FUND 360,972

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669 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,435
FROM FEDERAL GRANTS TRUST FUND 3,301
FROM U.S. TRUST FUND 283,882

TOTAL: DISABILITY BENEFITS DETERMINATION
FROM GENERAL REVENUE FUND 1,035,823
FROM TRUST FUNDS 97,900,163

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 98,935,986

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

APPROVED SALARY RATE 15,487,948

670 SALARIES AND BENEFITS POSITIONS 547.50
FROM GENERAL REVENUE FUND 3,194,918
FROM OPERATIONS AND MAINTENANCE TRUST FUND 18,113,767

671 OTHER PERSONAL SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST FUND 871,819

672 EXPENSES
FROM GENERAL REVENUE FUND 12,888
FROM OPERATIONS AND MAINTENANCE TRUST FUND 11,169,338

673 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 41,500
FROM OPERATIONS AND MAINTENANCE TRUST FUND 87,794

674 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 135,947
FROM OPERATIONS AND MAINTENANCE TRUST FUND 3,056,051

675 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,000

676 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,617,187
FROM OPERATIONS AND MAINTENANCE TRUST FUND 6,224,084

677 SPECIAL CATEGORIES
RECREATIONAL EQUIPMENT AND SUPPLIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 62,000

678 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 133,405
FROM OPERATIONS AND MAINTENANCE TRUST FUND 577,464

679 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,974
FROM OPERATIONS AND MAINTENANCE TRUST FUND 200,061

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680 FIXED CAPITAL OUTLAY
STATE NURSING HOME FOR VETERANS - DMS MGD
FROM GENERAL REVENUE FUND 5,565,850
FROM FEDERAL GRANTS TRUST FUND 11,632,864

Funds in Specific Appropriation 680 are provided for the construction of a sixth State Veterans' Nursing Home in St. Johns County.

681 FIXED CAPITAL OUTLAY
ADDITIONS AND IMPROVEMENTS TO THE VETERANS' HOMES
FROM GENERAL REVENUE FUND 400,000
FROM FEDERAL GRANTS TRUST FUND 2,042,857
FROM STATE HOMES FOR VETERANS TRUST FUND . 700,000

682 FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS
FROM STATE HOMES FOR VETERANS TRUST FUND . 1,681,175

TOTAL: VETERANS' HOMES
FROM GENERAL REVENUE FUND 11,087,169
FROM TRUST FUNDS 56,478,774

TOTAL POSITIONS 547.50
TOTAL ALL FUNDS 67,565,943

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,550,920

683 SALARIES AND BENEFITS POSITIONS 28.00
FROM GENERAL REVENUE FUND 2,053,409

684 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,765

685 EXPENSES
FROM GENERAL REVENUE FUND 1,338,349

686 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 43,402

687 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 22,000

688 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 1,422

689 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 5,418

690 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,832

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,494,597

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 3,494,597

VETERANS' BENEFITS AND ASSISTANCE

APPROVED SALARY RATE 2,963,375

691 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 3,174,289

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FROM FEDERAL GRANTS TRUST FUND 500,965

692 EXPENSES
FROM GENERAL REVENUE FUND 199,706
FROM FEDERAL GRANTS TRUST FUND 94,218

693 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,485
FROM FEDERAL GRANTS TRUST FUND 726

694 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 24,578
FROM FEDERAL GRANTS TRUST FUND 3,879

TOTAL: VETERANS' BENEFITS AND ASSISTANCE
FROM GENERAL REVENUE FUND 3,418,058
FROM TRUST FUNDS 599,788

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,017,846

TOTAL OF SECTION 3 POSITIONS 23,145.00

FROM GENERAL REVENUE FUND 7558,937,284

FROM TRUST FUNDS 16171,523,131

TOTAL ALL FUNDS 23730,460,415

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The monies contained herein are appropriated from the named funds to the Department of Corrections, Florida Department of Law Enforcement, Department of Juvenile Justice, Parole Commission, Department of Legal Affairs/Attorney General and the Justice Administration as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 695 through 864, the Department of Corrections shall support the Office of Program Policy and Governmental Accountability (OPPAGA) which shall conduct a comprehensive review of the Department of Corrections. OPPAGA shall examine the department's mission and purpose, scope of services, and programs to identify those programs or services that fall outside the department's mission, or programs or services that should more appropriately be delivered by another state agency or local entity. In the course of the review, OPPAGA shall identify and report on specific organizational or programmatic deficiencies that diminish agency efficiency or effectiveness. The review shall include an examination of agency personnel deficiencies using pay scales, salaries, and benefits data. An assessment of all staffing levels within the department shall be conducted to ensure that levels are appropriate in fulfilling the department's statutory mission. The department shall provide sufficient data to OPPAGA to conduct these studies. OPPAGA shall submit a report to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by February 1, 2007.

From the funds in Specific Appropriations 695 through 864, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

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The Department of Corrections shall develop and use a uniform format and uniform methodologies for the purpose of reporting annually to the Legislature on the state prison system. Such reports shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2007.

Funds in Specific Appropriations 695 through 864 shall not be used to pay for unoccupied leased space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2006, and for which it has been determined by the secretary of the department that there is no longer a need.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

	APPROVED SALARY RATE 13,155,639		
695	SALARIES AND BENEFITS POSITIONS	343.00	
	FROM GENERAL REVENUE FUND	16,327,419	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,951,554
696	EXPENSES		
	FROM GENERAL REVENUE FUND	1,121,633	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		133,494
697	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	48,000	
698	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	315,125	
TOTAL:	BUSINESS SERVICE CENTERS		
	FROM GENERAL REVENUE FUND	17,812,177	
	FROM TRUST FUNDS		2,085,048
	TOTAL POSITIONS	343.00	
	TOTAL ALL FUNDS		19,897,225

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE 16,143,630		
699	SALARIES AND BENEFITS POSITIONS	357.00	
	FROM GENERAL REVENUE FUND	18,566,744	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		78,548
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,765,071
700	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	24,545	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		42,906
701	EXPENSES		
	FROM GENERAL REVENUE FUND	3,342,858	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,267,412
	FROM GRANTS AND DONATIONS TRUST FUND . . .		491,826
702	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	22,475	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		25,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		30,160
703	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	5,215	
704	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	177,500	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		200,000
705	SPECIAL CATEGORIES		
	TRANSFER TO GENERAL REVENUE FUND		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		12,800,000

Funds in Specific Appropriation 705 are from reimbursements from the United States federal government for incarcerating aliens in Florida's prisons. If total reimbursements exceed $12,800,000, the department shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.

706	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	752,403	
707	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	10,992,249	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		173,229
	FROM GRANTS AND DONATIONS TRUST FUND . . .		85,305
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	33,883,989	
	FROM TRUST FUNDS		17,959,457
	TOTAL POSITIONS	357.00	
	TOTAL ALL FUNDS		51,843,446

INFORMATION TECHNOLOGY

	APPROVED SALARY RATE 6,949,230		
708	SALARIES AND BENEFITS POSITIONS	153.00	
	FROM GENERAL REVENUE FUND	7,438,697	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		881,331
709	EXPENSES		
	FROM GENERAL REVENUE FUND	22,956	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,718
709A	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	300,000	

Funds in Specific Appropriation 709A are provided to the Department of Corrections for the development of a feasibility study on reengineering or replacement of the Offender Based Information System (OBIS). The study shall comply with standards for the Schedule IV-B in the Fiscal Year 2006-2007 Legislative Budget Request instructions. At a minimum, the study shall include a business case describing strategic needs, and

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major assumptions / constraints and expected outcomes related to this initiative; a cost-benefit analysis indicating initial and long term investment requirements; planning components addressing major functional and technical requirements, identification of proposed technical solutions, and analysis of the alternatives for replacing or reengineering OBIS. The study shall also include a projected timeline for completion of each major system component and associated projected expenditures. The department shall submit the feasibility study to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council by January 31, 2007.

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 7,761,653
FROM TRUST FUNDS 884,049

TOTAL POSITIONS 153.00
TOTAL ALL FUNDS 8,645,702

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds provided in Specific Appropriations 720, 731 and 741, a total of $1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities in accordance with section 957.04(8), Florida Statutes. Funding is provided as follows: $269,324 for the Bay Correctional Facility, $339,242 for the Moore Haven Correctional Facility, $275,560 for the South Bay Correctional Facility, $100,000 for the Gadsden Correctional Facility and $90,236 for the Lake City Correctional Facility. Distribution of these funds is contingent upon (1) the withdrawal of any outstanding claims or (2) the county commission of the county where the correctional facility is located stipulating by resolution and memorandum of understanding with the state that by the county commission's acceptance of payment in lieu of ad valorem taxation, the county commission waives any ad valorem tax claim for Fiscal Year 2006-2007 for the related facility, whichever is applicable. Distribution of these funds for each facility is further contingent upon the county commission canceling any outstanding tax certificate and quieting title to any tax deed, or portion thereof, that is based on unpaid ad valorem taxes for the relevant facility.

Funds in Specific Appropriations 699 through 793 and Specific Appropriations 833 through 864 include an increase of 350 FTEs and $18,366,939 from the General Revenue Fund which is sufficient to provide housing and security for 92,402 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 89,672 inmates.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE 328,218,901

710 SALARIES AND BENEFITS POSITIONS 9,536.00
FROM GENERAL REVENUE FUND 454,073,422
FROM GRANTS AND DONATIONS TRUST FUND . . . 320,537

From the funds in Specific Appropriations 699 through 864, support costs are provided for the following correctional facilities:

Washington Annex (70 FTE)..... 3,858,008
Taylor Annex (41 FTE)..... 2,022,078
Dade Transitional Care Unit (40 FTE)..... 1,200,000

711 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 91,000

712 EXPENSES
FROM GENERAL REVENUE FUND 31,765,348
FROM GRANTS AND DONATIONS TRUST FUND . . . 593,066

713 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,172,963
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000

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714 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 50,792,971
FROM GRANTS AND DONATIONS TRUST FUND . . . 83,421

714A SPECIAL CATEGORIES
TIME AND ATTENDANCE SYSTEM
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 714A are provided from non-recurring funds for a time and attendance system.

715 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,603,341

From the funds in Specific Appropriation 715, $600,000 in non-recurring funds are provided as a grant for one or more counties with inmate populations in excess of 3,000 that install, during Fiscal Year 2006-2007, a radio frequency identification (RFID) electronic monitoring system. Such electronic monitoring system must have the capability to continuously receive and monitor electronic signals from a transmitter worn by inmates, department employees, and any visitors to the correctional facility that are provided access designated for authorized personnel only. The system must continuously monitor such persons in real time and identify such person's specific geographic position within the facility at any time.

The chosen counties shall study the effects of the electronic monitoring system on the behavior of the inmate population as compared to the previous three fiscal years. The research will include, but not be limited to the following: inmate on inmate violence; inmate on staff violence; reporting of sexual abuse allegations; theft of jail property; damage to jail property; staff hours performing head counts; number of lockdowns; increased oversight of private contractors; escape attempts; and impacts of the monitoring system on investigations. Each county shall report its findings at least sixty days prior to the beginning of the legislative session to the Department of Corrections. The department shall compile the data and submit a report to the Governor, the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council for a period of three years after the grant award.

The Department of Corrections shall administer the program and must award the grant by November 1, 2006.

716 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 2,915,970
FROM GRANTS AND DONATIONS TRUST FUND . . . 118,172

717 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,378,081

718 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 9,638,762
FROM GRANTS AND DONATIONS TRUST FUND . . . 550,597

719 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,155,639

720 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 57,399,758
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 1,300,586

720A FIXED CAPITAL OUTLAY
MAJOR REPAIRS, RENOVATIONS AND
IMPROVEMENTS TO MAJOR INSTITUTIONS
FROM GENERAL REVENUE FUND 230,000

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Funds in Specific Appropriation 720A are provided for the purpose of recommissioning the steam plant at the Union Correctional Institution.

721 FIXED CAPITAL OUTLAY
CONTRACTED CORRECTIONAL INSTITUTIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 3,456,623

722 FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 17,554,809

Funds in Specific Appropriation 722 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities, including payments provided prior to completion of the facilities:

Bay Correctional Facility (Bay County) 3,472,388
Moore Haven Correctional Facility (Glades County)..... 3,127,016
South Bay Correctional Facility (Palm Beach County)..... 5,067,800
Graceville Correctional Facility (Jackson County)..... 5,887,605

TOTAL: ADULT MALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 640,137,687
FROM TRUST FUNDS 4,057,379

TOTAL POSITIONS 9,536.00
TOTAL ALL FUNDS 644,195,066

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS

APPROVED SALARY RATE 38,703,898

723 SALARIES AND BENEFITS POSITIONS 1,105.00
FROM GENERAL REVENUE FUND 51,323,845
FROM GRANTS AND DONATIONS TRUST FUND . . . 113,273

724 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,884

725 EXPENSES
FROM GENERAL REVENUE FUND 3,031,349
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,703

726 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,716,232
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,841

726A SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 657,281

727 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 187,659
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,509

728 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 979,308

729 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 934,701

730 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 423,789

731 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 21,909,373
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 597,359

732 FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 3,131,356

Funds in Specific Appropriation 732 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Gadsden Correctional Facility, including payments provided prior to completion of the facility.

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 86,294,893
FROM TRUST FUNDS 832,569

TOTAL POSITIONS 1,105.00
TOTAL ALL FUNDS 87,127,462

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

APPROVED SALARY RATE 28,200,626

733 SALARIES AND BENEFITS POSITIONS 797.00
FROM GENERAL REVENUE FUND 40,490,856
FROM GRANTS AND DONATIONS TRUST FUND . . . 354,249

734 EXPENSES
FROM GENERAL REVENUE FUND 1,595,782

735 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

736 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,038,790
FROM GRANTS AND DONATIONS TRUST FUND . . . 483,667

737 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 217,664
FROM GRANTS AND DONATIONS TRUST FUND . . . 191,046

738 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 999,227

739 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 938,184

740 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 210,506

741 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 18,054,088
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 195,403

742 FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 2,626,088

Funds in Specific Appropriation 742 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Lake City Correctional Facility (Columbia County).

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TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 67,195,185
FROM TRUST FUNDS 1,724,365

TOTAL POSITIONS 797.00
TOTAL ALL FUNDS 68,919,550

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE 163,481,285

743 SALARIES AND BENEFITS POSITIONS 4,694.00
FROM GENERAL REVENUE FUND 223,205,666

744 EXPENSES
FROM GENERAL REVENUE FUND 6,658,981

746 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 14,688,460

747 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 1,158,876

748 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,581,989

749 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,833,399

750 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 1,860,769

TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS
FROM GENERAL REVENUE FUND 255,988,140

TOTAL POSITIONS 4,694.00
TOTAL ALL FUNDS 255,988,140

RECEPTION CENTER OPERATIONS

APPROVED SALARY RATE 64,403,057

751 SALARIES AND BENEFITS POSITIONS 1,860.00
FROM GENERAL REVENUE FUND 89,275,376
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,744

752 EXPENSES
FROM GENERAL REVENUE FUND 5,041,764
FROM GRANTS AND DONATIONS TRUST FUND . . . 31,090

753 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,800
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,000

754 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 5,597,969
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,449

755 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 370,703
FROM GRANTS AND DONATIONS TRUST FUND . . . 46,893

756 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 731,858

757 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,346,377

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758 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 861,554

TOTAL: RECEPTION CENTER OPERATIONS
FROM GENERAL REVENUE FUND 103,229,401
FROM TRUST FUNDS 368,176

TOTAL POSITIONS 1,860.00
TOTAL ALL FUNDS 103,597,577

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION

APPROVED SALARY RATE 33,606,159

759 SALARIES AND BENEFITS POSITIONS 958.00
FROM GENERAL REVENUE FUND 32,261,284
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 17,629,596
FROM GRANTS AND DONATIONS TRUST FUND . . . 45,774

From the funds in Specific Appropriations 759 through 768, $1,400,000 from the Correctional Work Program Trust Fund is contingent upon increased collections from billings to state agencies, public community colleges and state universities to cover the cost of supervision of inmate work squads provided on their behalf.

760 EXPENSES
FROM GENERAL REVENUE FUND 704,124
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 866,769
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,776

761 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 113,907
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 27,195

762 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,121,012

763 LUMP SUM
CORRECTIONAL WORK PROGRAMS
POSITIONS 17.00
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 2,988,307

Funds and positions in Specific Appropriation 763 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service squad contract(s).

764 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 6,500,000

765 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 204,143

766 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 209,537

767 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 225,841

768 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 365,327

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FROM CORRECTIONAL WORK PROGRAM TRUST FUND 135,759

TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION
FROM GENERAL REVENUE FUND 42,705,175
FROM TRUST FUNDS 21,726,176

TOTAL POSITIONS 975.00
TOTAL ALL FUNDS 64,431,351

ROAD PRISON OPERATIONS

APPROVED SALARY RATE 3,603,403

769 SALARIES AND BENEFITS POSITIONS 95.00
FROM GENERAL REVENUE FUND 315
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 5,095,420

770 EXPENSES
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 518,797

771 FOOD PRODUCTS
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 352,549

772 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 53,567

773 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 83,175

774 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 24,666

TOTAL: ROAD PRISON OPERATIONS
FROM GENERAL REVENUE FUND 83,490
FROM TRUST FUNDS 6,044,999

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 6,128,489

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 42,004,360

775 SALARIES AND BENEFITS POSITIONS 1,270.00
FROM GENERAL REVENUE FUND 54,864,898
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 59,685

776 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 376,454

777 EXPENSES
FROM GENERAL REVENUE FUND 3,197,999
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 1,959

778 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 68,706

779 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 82,243
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 1,655

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TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 58,590,300
FROM TRUST FUNDS 63,299

TOTAL POSITIONS 1,270.00
TOTAL ALL FUNDS 58,653,599

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,426,371

780 SALARIES AND BENEFITS POSITIONS 190.00
FROM GENERAL REVENUE FUND 12,914,964

781 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 366,798
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,000

782 EXPENSES
FROM GENERAL REVENUE FUND 5,735,379
FROM GRANTS AND DONATIONS TRUST FUND . . . 226,785

783 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 308,200

784 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 784 are provided to continue the victim notification system (VINE).

785 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 121,301

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 20,446,642
FROM TRUST FUNDS 301,785

TOTAL POSITIONS 190.00
TOTAL ALL FUNDS 20,748,427

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

APPROVED SALARY RATE 16,802,717

786 SALARIES AND BENEFITS POSITIONS 535.00
FROM GENERAL REVENUE FUND 21,539,006

787 EXPENSES
FROM GENERAL REVENUE FUND 79,383,609

788 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 585,513

789 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 420,258

790 FIXED CAPITAL OUTLAY
COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT
FROM GENERAL REVENUE FUND 169,880

791 FIXED CAPITAL OUTLAY
MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS
FROM GENERAL REVENUE FUND 6,840,000

792 FIXED CAPITAL OUTLAY
CORRECTION, ENVIRONMENTAL DEFICIENCIES
FROM GENERAL REVENUE FUND 16,359,332

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793 FIXED CAPITAL OUTLAY
FACILITIES PROVIDING ADDITIONAL CAPACITY
FROM GENERAL REVENUE FUND 71,500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,500,000
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND 1,500,000

From the funds in Specific Appropriation 793, non-recurring funds of $72,000,000 are provided to complete the construction of the following facilities: Wakulla Correctional Institution, Lowell Correctional Institution, and Santa Rosa Correctional Institution. In addition, non-recurring funds of $2,500,000 are provided for land acquisition, planning, development, and permitting costs for a future prison site.

794 FIXED CAPITAL OUTLAY
NEW AND EXPANDED ADMINISTRATIVE AND SUPPORT FACILITIES
FROM GENERAL REVENUE FUND 500,000

795 FIXED CAPITAL OUTLAY
NEW AND EXPANDED LAUNDRY FACILITIES
FROM GENERAL REVENUE FUND 300,000

796 FIXED CAPITAL OUTLAY
NEW AND EXPANDED MAINTENANCE AND STORAGE FACILITIES
FROM GENERAL REVENUE FUND 565,000

797 FIXED CAPITAL OUTLAY
NEW AND EXPANDED FOOD SERVICE FACILITIES
FROM GENERAL REVENUE FUND 250,000

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 198,412,598
FROM TRUST FUNDS 3,000,000

TOTAL POSITIONS 535.00
TOTAL ALL FUNDS 201,412,598

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 1,184,753

799 SALARIES AND BENEFITS POSITIONS 22.00
FROM GENERAL REVENUE FUND 1,548,643

800 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

801 EXPENSES
FROM GENERAL REVENUE FUND 6,499,243

802 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 235,381

803 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 195,153

804 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM GENERAL REVENUE FUND 226,334

805 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 923,243

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 9,642,997

TOTAL POSITIONS 22.00
TOTAL ALL FUNDS 9,642,997

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PROGRAM: COMMUNITY CORRECTIONS

PROBATION SUPERVISION

APPROVED SALARY RATE 86,545,282

806 SALARIES AND BENEFITS POSITIONS 2,366.00
FROM GENERAL REVENUE FUND 119,684,851
FROM GRANTS AND DONATIONS TRUST FUND . . . 25,473

807 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 44,224

808 EXPENSES
FROM GENERAL REVENUE FUND 13,015,434
FROM GRANTS AND DONATIONS TRUST FUND . . . 14,108

809 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 427,734

810 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,180,113

811 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 366,026

TOTAL: PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 135,718,382
FROM TRUST FUNDS 39,581

TOTAL POSITIONS 2,366.00
TOTAL ALL FUNDS 135,757,963

DRUG OFFENDER PROBATION SUPERVISION

APPROVED SALARY RATE 13,159,873

812 SALARIES AND BENEFITS POSITIONS 316.00
FROM GENERAL REVENUE FUND 18,421,961

813 EXPENSES
FROM GENERAL REVENUE FUND 1,375,693

814 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 19,233

815 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 70,035

TOTAL: DRUG OFFENDER PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 19,886,922

TOTAL POSITIONS 316.00
TOTAL ALL FUNDS 19,886,922

PRE TRIAL INTERVENTION SUPERVISION

APPROVED SALARY RATE 2,822,556

815A SALARIES AND BENEFITS POSITIONS 76.00
FROM GENERAL REVENUE FUND 3,990,380

815B EXPENSES
FROM GENERAL REVENUE FUND 356,810

815C SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 21,726

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TOTAL: PRE TRIAL INTERVENTION SUPERVISION
FROM GENERAL REVENUE FUND 4,368,916

TOTAL POSITIONS 76.00
TOTAL ALL FUNDS 4,368,916

COMMUNITY CONTROL SUPERVISION

APPROVED SALARY RATE 17,034,435

816 SALARIES AND BENEFITS POSITIONS 415.00
FROM GENERAL REVENUE FUND 24,493,007

817 EXPENSES
FROM GENERAL REVENUE FUND 2,165,037
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,202

818 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 143,545

819 SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 7,392,935

From the funds in Specific Appropriation 819, the Department of Corrections shall procure electronic monitoring services and equipment through the contracts resulting from the Invitation to Bid (ITB) required by the Jessica Lunsford Act of 2005. The department, however, may procure electronic monitoring services and equipment from any other vendor under contract with the department provided that the vendor agrees to provide services and equipment at a price equal to or less than the contract resulting from the ITB required by the Jessica Lunsford Act of 2005, which is in effect for the region of the state within which the vendor is under contract to provide services and equipment.

TOTAL: COMMUNITY CONTROL SUPERVISION
FROM GENERAL REVENUE FUND 34,194,524
FROM TRUST FUNDS 18,202

TOTAL POSITIONS 415.00
TOTAL ALL FUNDS 34,212,726

POST PRISON RELEASE SUPERVISION

APPROVED SALARY RATE 16,629,683

820 SALARIES AND BENEFITS POSITIONS 354.00
FROM GENERAL REVENUE FUND 23,486,396
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,533

821 EXPENSES
FROM GENERAL REVENUE FUND 1,858,551
FROM GRANTS AND DONATIONS TRUST FUND . . . 212,243

821A SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 2,055,000

Funds in Specific Appropriation 821A are provided for the following projects from non-recurring funds:

Community Treatment for Mentally Ill Ex-offenders 650,000
Bridges of America Post-Release Transitional Housing Program..... 730,000
Jail Diversion Pilot Project (GAP)..... 250,000
Women Helping Women Jail Project..... 150,000
Operation New Hope Re-Entry Initiative Program..... 200,000
Project Reconnect/The Habitual Misdemeanor Offender Program. 75,000

822 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 83,019
FROM GRANTS AND DONATIONS TRUST FUND . . . 30,030

TOTAL: POST PRISON RELEASE SUPERVISION
FROM GENERAL REVENUE FUND 27,482,966
FROM TRUST FUNDS 264,806

TOTAL POSITIONS 354.00
TOTAL ALL FUNDS 27,747,772

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

823 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,572,009

824 SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 3,176,714

From the funds in Specific Appropriation 824, non-recurring funds are provided for the following projects, unless specifically noted:

Treatment Services for Chronic Misdemeanor Offenders with Mental Illness and/or Substance Abuse..... 400,000
Alternatives to Incarceration (ATI) Program..... 200,000
Panama City Non-Secure Substance Abuse Residential Treatment Beds (Recurring)..... 235,000
African American Center of Excellence..... 351,714
25 Drug and Alcohol Beds for Women at the St. Petersburg Bridge (Bridges of America)..... 425,000
Assertive Community Treatment (ACT) Pilot Program..... 100,000
Phoenix House Community-Based Residential Treatment..... 375,000

825 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 26,180,492

From the funds in Specific Appropriation 825, $600,000 in non-recurring funds is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES
FROM GENERAL REVENUE FUND 32,929,215

TOTAL ALL FUNDS 32,929,215

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 1,411,285

826 SALARIES AND BENEFITS POSITIONS 42.00
FROM GENERAL REVENUE FUND 2,226,983

827 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 18,490

828 EXPENSES
FROM GENERAL REVENUE FUND 158,677

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 2,404,150

TOTAL POSITIONS 42.00
TOTAL ALL FUNDS 2,404,150

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INFORMATION TECHNOLOGY

APPROVED SALARY RATE 691,799

829 SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 1,065,539

830 EXPENSES
FROM GENERAL REVENUE FUND 3,149,878

831 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 94,780

832 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 394,006

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 4,704,203

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 4,704,203

COMMUNITY FACILITY OPERATIONS

832A SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND 393,050

832B EXPENSES
FROM GENERAL REVENUE FUND 1,214,285

832C SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,565,629

TOTAL: COMMUNITY FACILITY OPERATIONS
FROM GENERAL REVENUE FUND 3,172,964

TOTAL ALL FUNDS 3,172,964

PROGRAM: HEALTH SERVICES

INMATE HEALTH SERVICES

APPROVED SALARY RATE 90,249,536

833 SALARIES AND BENEFITS POSITIONS 2,105.00
FROM GENERAL REVENUE FUND 118,156,253

834 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,968,033

835 EXPENSES
FROM GENERAL REVENUE FUND 8,114,686

836 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 364,329

837 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 502,213

838 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,164,157

839 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 163,835,976

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From the funds in Specific Appropriation 839, $100,000 is provided for Hepatitis B vaccinations for inmates.

840 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 15,283,083

841 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS
FROM GENERAL REVENUE FUND 13,083,981

TOTAL: INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 322,472,711

TOTAL POSITIONS 2,105.00
TOTAL ALL FUNDS 322,472,711

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

APPROVED SALARY RATE 517,011

842 SALARIES AND BENEFITS POSITIONS 11.50
FROM GENERAL REVENUE FUND 96,742
FROM GRANTS AND DONATIONS TRUST FUND . . . 479,287

843 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 184,207

844 EXPENSES
FROM GENERAL REVENUE FUND 179,547
FROM GRANTS AND DONATIONS TRUST FUND . . . 721,494

845 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 27,019

846 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 5,704,554

847 SPECIAL CATEGORIES
TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS
FROM GENERAL REVENUE FUND 20,762,781

TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES
FROM GENERAL REVENUE FUND 26,743,624
FROM TRUST FUNDS 1,412,007

TOTAL POSITIONS 11.50
TOTAL ALL FUNDS 28,155,631

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

APPROVED SALARY RATE 1,637,985

848 SALARIES AND BENEFITS POSITIONS 38.00
FROM GENERAL REVENUE FUND 1,130,289
FROM GRANTS AND DONATIONS TRUST FUND . . . 723,711

849 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,809

850 EXPENSES
FROM GENERAL REVENUE FUND 38,531
FROM GRANTS AND DONATIONS TRUST FUND . . . 622,865

851 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 73,600

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852 SPECIAL CATEGORIES
CONTRACT DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 2,678,432
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,072,341

From the funds in Specific Appropriation 852, $730,000 from non-recurring general revenue shall be used by the Department of Corrections to contract for the development and operation of one or more integrated community based corrections transition re-entry centers/workcamps with a specific focus on reducing inmate recidivism. The centers must be facilities that combine integrated substance abuse treatment, cognitive restructuring, employment preparation, training and placement programs, and utilizing only evidence-based methodologies to achieve recidivism outcomes.

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES
FROM GENERAL REVENUE FUND 3,847,252
FROM TRUST FUNDS 4,497,326

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 8,344,578

BASIC EDUCATION SKILLS

APPROVED SALARY RATE 15,126,581

853 SALARIES AND BENEFITS POSITIONS 416.00
FROM GENERAL REVENUE FUND 16,838,102
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,584,599

854 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 771,542
FROM GRANTS AND DONATIONS TRUST FUND . . . 666,172

855 EXPENSES
FROM GENERAL REVENUE FUND 3,559,203
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,738,353

856 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 59,305
FROM GRANTS AND DONATIONS TRUST FUND . . . 472,386

857 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 70,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 411,000

857A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 165,000

From the funds in Specific Appropriation 857A, the following projects are funded from non-recurring general revenue:

Horizon Communities In-Prison Education Programs
(Tomoka and Wakulla Correctional Institutions)..... 140,000
Jobs for Florida Department of Corrections Vo-Tech
Trainees (Pilot Program)..... 25,000

858 SPECIAL CATEGORIES
GRANTS AND AIDS - EVEN START FAMILY
LITERACY PROJECT
FROM GRANTS AND DONATIONS TRUST FUND . . . 494,974

859 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 209,896

TOTAL: BASIC EDUCATION SKILLS
FROM GENERAL REVENUE FUND 21,673,048
FROM TRUST FUNDS 6,367,484

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TOTAL POSITIONS 416.00
TOTAL ALL FUNDS 28,040,532

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE 5,769,290

860 SALARIES AND BENEFITS POSITIONS 154.00
FROM GENERAL REVENUE FUND 7,582,361
FROM GRANTS AND DONATIONS TRUST FUND . . . 417,760

861 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 182,290

862 EXPENSES
FROM GENERAL REVENUE FUND 2,224,470
FROM GRANTS AND DONATIONS TRUST FUND . . . 444,000

863 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 11,400
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000

864 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,980,000

TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT
FROM GENERAL REVENUE FUND 12,980,521
FROM TRUST FUNDS 864,760

TOTAL POSITIONS 154.00
TOTAL ALL FUNDS 13,845,281

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,012,304

865 SALARIES AND BENEFITS POSITIONS 111.00
FROM GENERAL REVENUE FUND 5,402,415
FROM GRANTS AND DONATIONS TRUST FUND . . . 34,924

From funds in Specific Appropriation 865, the Justice Administrative Commission in cooperation with the Office of State Courts Administrator shall jointly provide a report to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by January 31, 2007, with recommendations for improving the governance and operations of publicly funded court-appointed counsel and due process services provided for indigent individuals. The report shall describe any advantages and disadvantages of the current circuit Article V indigent services committees and their administrative support arrangements and describe, analyze, and, if justified, recommend alternative models for governing and providing these functions. Criteria used shall include but not be limited to the degree to which the models assign responsibilities which are appropriate for the entities involved, avoiding conflicts of interest; ensure the adequate provision of the court-appointed counsel and related due process services; facilitate oversight of and control over costs; and are cost-effective. The report shall also detail any other statutory changes that might enhance the governance and provision of these services.

866 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,600

867 EXPENSES
FROM GENERAL REVENUE FUND 867,142
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,825

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868 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 62,530

868A LUMP SUM
PERSONAL INJURY PROTECTION INSURANCE FRAUD PROSECUTION
POSITIONS 4.00
FROM GENERAL REVENUE FUND 300,000

869 LUMP SUM
STATE ATTORNEY, PUBLIC DEFENDER CONTRACT/ GRANT POSITIONS
POSITIONS 11.50

The positions in Specific Appropriation 869 are provided for State Attorneys and Public Defenders to utilize with grants received during the 2006-2007 fiscal year that will recur for a minimum of 2 years. The Justice Administrative Commission may request the transfer of these positions to the offices of the State Attorneys and Public Defenders as needed. Such transfers are contingent upon the commission notifying and providing documentation of the grant received to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council and the Governor's Office of Policy and Budget. Such notification is subject to the legislative objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions at the amount of the starting salary of an assistant state attorney and assistant public defender. The rate must be placed in reserve pending transfer of positions.

869A LUMP SUM
ANIMAL CRUELTY PILOT PROJECT
FROM GENERAL REVENUE FUND 100,000

Funds in Specific Appropriation 869A are provided to the Justice Administrative Commission for a pilot project within a state attorney's office to test the efficacy of providing a dedicated attorney position to prosecute animal cruelty cases. The commission shall select the pilot circuit from state attorneys who indicate interest in conducting the pilot. The commission shall provide an evaluation of the pilot project to the Governor, President of the Senate, and Speaker of the House of Representatives by March 1, 2007.

871 SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN REVIEW PANEL
FROM GENERAL REVENUE FUND 575,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,000

The funds in Specific Appropriation 871 from non-recurring general revenue are allocated as follows:

Manatee County Citizens' Review..... 75,000
Miami-Dade Foster Care Review..... 400,000

872 SPECIAL CATEGORIES
SEXUAL PREDATOR CIVIL COMMITMENT LITIGATION COSTS
FROM GENERAL REVENUE FUND 3,429,194

Funds in Specific Appropriation 872 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The Justice Administrative Commission is authorized to pay up to $5,000 per case for case-related expenses incurred by the State Attorney and the Public Defender, or court appointed counsel where there is an ethical conflict, for a combined maximum of $10,000 for case-related expenses per case, unless the court orders payment of a greater amount. The Justice Administrative Commission shall submit quarterly reports to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council describing, by judicial circuit, requests for payments of case-related expenses received; court orders received directing payment of such expenses; and actual encumbrances and disbursements from this special appropriations category.

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873 SPECIAL CATEGORIES
CONTRACT WITH DEPARTMENT OF MANAGEMENT SERVICES FOR COPES
FROM GENERAL REVENUE FUND 90,125

874 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 6,720

874A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 50,000

Funds in Specific Appropriation 874A are provided to the United Way of Florida to conduct the Florida Children's Legislative Summit II. The summit shall focus on developing a coordinated approach to children's issues in Florida, including increasing organization among the state's existing family services agencies and identifying strategies to coordinate early health care initiatives, pre-natal care, and other early intervention techniques to improve the lives of children and families in Florida in an effort to prevent future dependency and delinquency actions.

874B SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF FINANCIAL SERVICES - AUDITS OF CLERK BUDGETS
FROM GENERAL REVENUE FUND 72,039

875 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 18,000,000

Funds in Specific Appropriation 875 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit..... 667,148
2nd Judicial Circuit..... 624,957
3rd Judicial Circuit..... 235,388
4th Judicial Circuit..... 1,447,645
5th Judicial Circuit..... 675,363
6th Judicial Circuit..... 1,202,364
7th Judicial Circuit..... 611,347
8th Judicial Circuit..... 478,932
9th Judicial Circuit..... 813,874
10th Judicial Circuit..... 806,134
11th Judicial Circuit..... 3,086,102
12th Judicial Circuit..... 616,970
13th Judicial Circuit..... 1,530,480
14th Judicial Circuit..... 352,244
15th Judicial Circuit..... 786,259
16th Judicial Circuit..... 169,915
17th Judicial Circuit..... 1,888,114
18th Judicial Circuit..... 554,125
19th Judicial Circuit..... 694,070
20th Judicial Circuit..... 758,569

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st circuit..... 190,611
2nd circuit..... 323,698
3rd circuit..... 52,251
6th circuit..... 103,493
7th circuit..... 37,310
8th circuit..... 83,798
9th circuit..... 481,878
10th circuit..... 68,975

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11th circuit	121,996
12th circuit	153,205
13th circuit	784,106
14th circuit	134,089
15th circuit	93,646
16th circuit	74,983
17th circuit	60,851

876 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 23,271,856

Funds in Specific Appropriation 876 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall apportion these funds for use in each circuit according to the number of projected dependency case filings in each judicial circuit, and is authorized to pay such fees and expenses, subject to all specifications and limitations as provided by law. The Justice Administrative Commission shall submit quarterly reports of these case payments to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council, by judicial circuit, which shall include, but not be limited to, information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements from this special appropriations category.

Funds in Specific Appropriations 876 and 878 shall be subject to the following cost-containment measures to be implemented by the Justice Administrative Commission:

- o A court-appointed attorney that has been appointed to more than one case for the same defendant within a 30-day period shall bill simultaneously for all cases appointed within that period for that defendant.
- o For capital cases where there are both a court-appointed lead and a co-counsel, the commission shall simultaneously review their invoices for attorney compensation.
- o Overpayment by the commission of due process costs, including attorney's fees, shall be recovered in full. The method of recovery, at the discretion of the commission, may be through an offset against future payments, direct reimbursement of the overpayment to the commission, or other remedies available to a creditor.
- o The commission shall directly compensate only those due process vendors who have executed a contract with the commission.
- o All court-appointed attorneys shall attach a progress docket sheet or a copy of the clerk's record of the case to any invoices submitted in an hourly format.
- o A court-appointed attorney shall secure a court order prior to requesting any transcript.
- o The commission shall pay all legal fees and due process costs for the 2006-2007 fiscal year at the rate not to exceed the amount set by the circuit Article V indigent services committee for the 2005-2006 fiscal year.

877 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,278

878 SPECIAL CATEGORIES
CRIMINAL CONFLICT CASE COSTS
FROM GENERAL REVENUE FUND 37,436,867

Funds in Specific Appropriation 878 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants in cases where the public

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defender has an ethical conflict and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports of criminal conflict case payments to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by judicial circuit. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	1,174,270
2nd Judicial Circuit	1,289,083
3rd Judicial Circuit	370,961
4th Judicial Circuit	2,513,008
5th Judicial Circuit	1,122,783
6th Judicial Circuit	2,662,163
7th Judicial Circuit	1,882,035
8th Judicial Circuit	947,387
9th Judicial Circuit	3,228,734
10th Judicial Circuit	1,454,644
11th Judicial Circuit	4,477,525
12th Judicial Circuit	892,289
13th Judicial Circuit	2,332,546
14th Judicial Circuit	749,882
15th Judicial Circuit	2,907,965
16th Judicial Circuit	233,756
17th Judicial Circuit	4,895,785
18th Judicial Circuit	1,627,536
19th Judicial Circuit	905,045
20th Judicial Circuit	1,769,470

From the funds in Specific Appropriation 878, a total of $1,084,669 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

879 SPECIAL CATEGORIES
STATE ATTORNEY DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 12,004,072

Funds in Specific Appropriation 879 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	710,335
2nd Judicial Circuit	377,739
3rd Judicial Circuit	140,473
4th Judicial Circuit	518,840
5th Judicial Circuit	390,252
6th Judicial Circuit	702,850
7th Judicial Circuit	528,874
8th Judicial Circuit	265,979
9th Judicial Circuit	556,996
10th Judicial Circuit	346,599
11th Judicial Circuit	2,482,105
12th Judicial Circuit	313,251
13th Judicial Circuit	668,192
14th Judicial Circuit	132,385
15th Judicial Circuit	832,181
16th Judicial Circuit	102,844
17th Judicial Circuit	1,483,966
18th Judicial Circuit	423,443
19th Judicial Circuit	303,784
20th Judicial Circuit	722,984

From the funds credited for the use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

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1st circuit	18,232
2nd circuit	16,650
3rd circuit	10,456
6th circuit	25,443
7th circuit	12,818
8th circuit	21,937
9th circuit	26,007
10th circuit	3,980
11th circuit	426,986
12th circuit	19,650
13th circuit	45,716
15th circuit	61,252
16th circuit	4,315
17th circuit	20,081

880	SPECIAL CATEGORIES STATE ATTORNEY AND PUBLIC DEFENDER TRAINING		
	FROM GENERAL REVENUE FUND	35,000	
	FROM GRANTS AND DONATIONS TRUST FUND		262,803
880A	SPECIAL CATEGORIES DUE PROCESS CONTINGENCY FUND		
	FROM GENERAL REVENUE FUND	9,242,079	
881	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	2,704,379	
	FROM CHILD SUPPORT TRUST FUND		83,128
	FROM GRANTS AND DONATIONS TRUST FUND		87,125
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		25,446

From the funds provided in Specific Appropriation 881, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

882	SPECIAL CATEGORIES TRANSFER TO THE DEPARTMENT OF FINANCIAL SERVICES FOR THE POSTCONVICTION CAPITAL COLLATERAL CASES - REGISTRY ATTORNEYS		
	FROM GENERAL REVENUE FUND	2,325,000	
883	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	10,000	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	116,021,296	
	FROM TRUST FUNDS		798,251
	TOTAL POSITIONS	126.50	
	TOTAL ALL FUNDS		116,819,547

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 20,372,591

884	SALARIES AND BENEFITS POSITIONS	581.50	
	FROM GENERAL REVENUE FUND	26,558,809	

Funds and positions in Specific Appropriations 884 through 890 shall not be utilized to represent children in dissolution of marriage proceedings unless the child is also subject to dependency proceedings. The funds and positions may also be used for Attorneys Ad-Litem as appropriate to provide legal representation to children.

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885	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,172,492	
	FROM GRANTS AND DONATIONS TRUST FUND		50,000
886	EXPENSES		
	FROM GENERAL REVENUE FUND	1,655,140	
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
887	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	90,000	
	FROM GRANTS AND DONATIONS TRUST FUND		20,000
888	SPECIAL CATEGORIES GRANTS AND AIDS - COURT SYSTEM SERVICES FOR CHILDREN AND YOUTH		
	FROM GENERAL REVENUE FUND	949,656	
889	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,116,726	
890	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	115,353	
TOTAL:	PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE		
	FROM GENERAL REVENUE FUND	33,658,176	
	FROM TRUST FUNDS		320,000
	TOTAL POSITIONS	581.50	
	TOTAL ALL FUNDS		33,978,176

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, training, and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 891 through 991. Funding for this office shall not exceed $400,000.

Funds in Specific Appropriations 891 through 991 include $9,500,000 from General Revenue and 164.3 FTE for increased workload. Each state attorney in a circuit with a population of one million or more shall dedicate at least 2 additional assistant state attorney FTE to expedite the resolution of civil commitment proceedings of sexually violent predators pursuant to Part V of Chapter 394 that have been pending for more than 545 days so that all such cases in existence on July 1, 2006, are resolved by December 31, 2006. Each state attorney in a circuit with a population of less than one million shall dedicate at least 1 additional assistant state attorney FTE to expedite the resolution of civil commitment proceedings of sexually violent predators pursuant to Part V of Chapter 394 that have been pending for more than 545 days so that all such cases in existence on July 1, 2006, are resolved by December 31, 2006. A state attorney shall be exempt from this requirement upon written notification to the Governor, the Speaker of the House of Representatives and the President of the Senate that there are no such cases within that circuit existing on July 1, 2006, that have been pending for more than 545 days. Additional FTE assigned pursuant to this paragraph shall continue to be assigned for the above stated purpose until all cases pending for more than 545 days have been resolved.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,544,024

891	SALARIES AND BENEFITS POSITIONS	221.00	
	FROM GENERAL REVENUE FUND	12,077,213	
	FROM GRANTS AND DONATIONS TRUST FUND		424,961
892	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	32,080	
	FROM GRANTS AND DONATIONS TRUST FUND		20,000

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892A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 80,000

893 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,029,996
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 40,151
FROM GRANTS AND DONATIONS TRUST FUND . . . 196,100

894 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 56,811

895 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,998

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,206,098
FROM TRUST FUNDS 761,212

TOTAL POSITIONS 221.00
TOTAL ALL FUNDS 13,967,310

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,812,964

896 SALARIES AND BENEFITS POSITIONS 125.00
FROM GENERAL REVENUE FUND 6,986,041
FROM GRANTS AND DONATIONS TRUST FUND . . . 365,179

897 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,700
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,480

897A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 49,000

898 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 366,647
FROM GRANTS AND DONATIONS TRUST FUND . . . 216,388

899 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,435

900 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,195

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,411,018
FROM TRUST FUNDS 772,047

TOTAL POSITIONS 125.00
TOTAL ALL FUNDS 8,183,065

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,442,585

901 SALARIES AND BENEFITS POSITIONS 73.00
FROM GENERAL REVENUE FUND 4,092,803
FROM GRANTS AND DONATIONS TRUST FUND . . . 269,463

902 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,956
FROM GRANTS AND DONATIONS TRUST FUND . . . 33,540

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902A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 45,000

903 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 232,259
FROM GRANTS AND DONATIONS TRUST FUND . . . 98,311

904 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 10,605

905 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,110

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,349,733
FROM TRUST FUNDS 446,314

TOTAL POSITIONS 73.00
TOTAL ALL FUNDS 4,796,047

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,704,548

906 SALARIES AND BENEFITS POSITIONS 377.25
FROM GENERAL REVENUE FUND 19,651,426
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,384,123

907 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 147,500
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 30,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 451,140

907A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 69,990

908 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 352,711
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 156,590
FROM GRANTS AND DONATIONS TRUST FUND . . . 880,604

909 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 77,123

910 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 11,547

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,240,307
FROM TRUST FUNDS 2,972,447

TOTAL POSITIONS 377.25
TOTAL ALL FUNDS 23,212,754

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,404,086

911 SALARIES AND BENEFITS POSITIONS 230.00
FROM GENERAL REVENUE FUND 13,339,281
FROM GRANTS AND DONATIONS TRUST FUND . . . 125,000

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912 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,732
FROM GRANTS AND DONATIONS TRUST FUND . . . 79,194

913 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 598,977
FROM GRANTS AND DONATIONS TRUST FUND . . . 26,274

914 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 62,674

915 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 15,938

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 14,027,602
FROM TRUST FUNDS 230,468

TOTAL POSITIONS 230.00
TOTAL ALL FUNDS 14,258,070

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 21,829,147

916 SALARIES AND BENEFITS POSITIONS 480.00
FROM GENERAL REVENUE FUND 24,883,716
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,183,211

917 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 91,625
FROM GRANTS AND DONATIONS TRUST FUND . . . 86,662

917A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 56,980

918 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 573,648
FROM GRANTS AND DONATIONS TRUST FUND . . . 744,456

919 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 128,472

920 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,009

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 25,700,470
FROM TRUST FUNDS 4,071,309

TOTAL POSITIONS 480.00
TOTAL ALL FUNDS 29,771,779

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,300,366

921 SALARIES AND BENEFITS POSITIONS 253.00
FROM GENERAL REVENUE FUND 13,241,187
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,275,906

922 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 41,424
FROM GRANTS AND DONATIONS TRUST FUND . . . 83,867

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922A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 192,000

923 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 696,186
FROM GRANTS AND DONATIONS TRUST FUND . . . 483,589

924 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 177,342

925 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,171
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,000

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 14,162,310
FROM TRUST FUNDS 2,055,362

TOTAL POSITIONS 253.00
TOTAL ALL FUNDS 16,217,672

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,254,027

926 SALARIES AND BENEFITS POSITIONS 143.00
FROM GENERAL REVENUE FUND 7,719,307
FROM GRANTS AND DONATIONS TRUST FUND . . . 466,381

927 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,640
FROM GRANTS AND DONATIONS TRUST FUND . . . 96,184

927A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 48,500

928 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 305,618
FROM GRANTS AND DONATIONS TRUST FUND . . . 42,408

929 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 45,730

930 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 13,676

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 8,092,971
FROM TRUST FUNDS 653,473

TOTAL POSITIONS 143.00
TOTAL ALL FUNDS 8,746,444

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,180,476

931 SALARIES AND BENEFITS POSITIONS 336.00
FROM GENERAL REVENUE FUND 18,782,873
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 146,078
FROM GRANTS AND DONATIONS TRUST FUND . . . 280,623

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932	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	112,847	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		63,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,000
932A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		40,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		60,064
933	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	1,213,956	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		35,225
	FROM GRANTS AND DONATIONS TRUST FUND . . .		168,694
934	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	111,082	
935	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	27,936	
TOTAL:	PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	20,248,694	
	FROM TRUST FUNDS		794,684
	TOTAL POSITIONS	336.00	
	TOTAL ALL FUNDS		21,043,378

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,769,665

936	SALARIES AND BENEFITS POSITIONS	226.50	
	FROM GENERAL REVENUE FUND	11,617,347	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		958,032
937	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	31,581	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		121,659
937A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		91,072
938	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	415,373	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		342,364
939	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	45,062	
940	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	14,545	
TOTAL:	PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	12,123,908	
	FROM TRUST FUNDS		1,513,127
	TOTAL POSITIONS	226.50	
	TOTAL ALL FUNDS		13,637,035

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

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APPROVED SALARY RATE 52,418,856

941	SALARIES AND BENEFITS POSITIONS	1,281.00	
	FROM GENERAL REVENUE FUND	47,660,869	
	FROM CHILD SUPPORT TRUST FUND		16,984,328
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,082,590
942	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	243,644	
	FROM CHILD SUPPORT TRUST FUND		868,300
	FROM GRANTS AND DONATIONS TRUST FUND . . .		61,692
942A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		105,344
943	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	929,666	
	FROM CHILD SUPPORT TRUST FUND		3,866,205
	FROM CIVIL RICO TRUST FUND		82,000
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		203,700
	FROM GRANTS AND DONATIONS TRUST FUND . . .		890,838
944	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	785,936	
	FROM CHILD SUPPORT TRUST FUND		46,379
945	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	22,500	
TOTAL:	PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	49,642,615	
	FROM TRUST FUNDS		25,191,376
	TOTAL POSITIONS	1,281.00	
	TOTAL ALL FUNDS		74,833,991

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,492,318

946	SALARIES AND BENEFITS POSITIONS	189.50	
	FROM GENERAL REVENUE FUND	10,872,108	
947	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	23,502	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		7,500
947A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		47,784
948	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	457,942	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		58,891
949	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	87,806	
950	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	9,580	

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TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,450,938
FROM TRUST FUNDS 114,175

TOTAL POSITIONS 189.50
TOTAL ALL FUNDS 11,565,113

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,962,826

951 SALARIES AND BENEFITS POSITIONS 352.75
FROM GENERAL REVENUE FUND 19,692,941
FROM GRANTS AND DONATIONS TRUST FUND . . . 316,839

From the positions and funds in Specific Appropriation 951, one full-time equivalent position with a salary rate of up to 38,317 and $55,026 from the Grants and Donations Trust Fund shall be initially placed in reserve by the Executive Office of the Governor. Upon receipt of funding from Hillsborough County, the positions and funding shall be released in accordance with applicable provisions of chapter 216, Florida Statutes.

952 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 120,725
FROM GRANTS AND DONATIONS TRUST FUND . . . 115,122

952A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 117,000

953 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 720,902
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 23,844
FROM GRANTS AND DONATIONS TRUST FUND . . . 422,305

954 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 146,189

955 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,913

TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,687,670
FROM TRUST FUNDS 995,110

TOTAL POSITIONS 352.75
TOTAL ALL FUNDS 21,682,780

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,562,256

956 SALARIES AND BENEFITS POSITIONS 130.50
FROM GENERAL REVENUE FUND 7,169,730
FROM GRANTS AND DONATIONS TRUST FUND . . . 294,793

957 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,899
FROM GRANTS AND DONATIONS TRUST FUND . . . 29,900

957A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 45,536
FROM GRANTS AND DONATIONS TRUST FUND . . . 91,072

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958 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 370,192
FROM GRANTS AND DONATIONS TRUST FUND . . . 39,588

959 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,127

960 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,794

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,618,278
FROM TRUST FUNDS 455,353

TOTAL POSITIONS 130.50
TOTAL ALL FUNDS 8,073,631

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,596,283

961 SALARIES AND BENEFITS POSITIONS 339.50
FROM GENERAL REVENUE FUND 18,971,771
FROM GRANTS AND DONATIONS TRUST FUND . . . 903,647

962 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 78,436
FROM GRANTS AND DONATIONS TRUST FUND . . . 200,178

963 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 978,122
FROM CIVIL RICO TRUST FUND 31,959
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,893

964 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 60,836

965 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 10,702
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,099,867
FROM TRUST FUNDS 1,221,677

TOTAL POSITIONS 339.50
TOTAL ALL FUNDS 21,321,544

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,039,340

966 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 3,729,240
FROM GRANTS AND DONATIONS TRUST FUND . . . 212,326

967 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,684
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,054

967A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,500

SECTION 4
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APPROPRIATION

968 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 150,188
FROM GRANTS AND DONATIONS TRUST FUND . . . 155,634

969 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,843

970 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,129

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,927,084
FROM TRUST FUNDS 466,514

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 4,393,598

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 23,061,022

971 SALARIES AND BENEFITS POSITIONS 513.00
FROM GENERAL REVENUE FUND 29,283,606
FROM GRANTS AND DONATIONS TRUST FUND . . . 545,774

972 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 121,287
FROM GRANTS AND DONATIONS TRUST FUND . . . 122,864

973 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,461,009
FROM GRANTS AND DONATIONS TRUST FUND . . . 180,381

974 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 200,290

975 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,786

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 31,089,978
FROM TRUST FUNDS 849,019

TOTAL POSITIONS 513.00
TOTAL ALL FUNDS 31,938,997

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,346,117

976 SALARIES AND BENEFITS POSITIONS 303.00
FROM GENERAL REVENUE FUND 16,144,945
FROM GRANTS AND DONATIONS TRUST FUND . . . 807,232

977 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 35,415
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,500

977A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 26,816

SECTION 4
SPECIFIC
APPROPRIATION

978 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 879,654
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,290

979 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 132,729

980 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,707

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 17,202,450
FROM TRUST FUNDS 886,838

TOTAL POSITIONS 303.00
TOTAL ALL FUNDS 18,089,288

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,427,813

981 SALARIES AND BENEFITS POSITIONS 166.00
FROM GENERAL REVENUE FUND 8,815,432
FROM GRANTS AND DONATIONS TRUST FUND . . . 659,275

982 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,658
FROM GRANTS AND DONATIONS TRUST FUND . . . 121,500

982A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,048

983 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 696,062
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,000

984 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 39,051

985 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,874

TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,579,077
FROM TRUST FUNDS 861,823

TOTAL POSITIONS 166.00
TOTAL ALL FUNDS 10,440,900

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,053,107

986 SALARIES AND BENEFITS POSITIONS 289.50
FROM GENERAL REVENUE FUND 15,266,075
FROM CIVIL RICO TRUST FUND 293,425
FROM GRANTS AND DONATIONS TRUST FUND . . . 916,270

987 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,503
FROM GRANTS AND DONATIONS TRUST FUND . . . 49,254

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SPECIFIC
APPROPRIATION

988 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CIVIL RICO TRUST FUND 80,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 80,000

989 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 903,289
FROM CIVIL RICO TRUST FUND 57,102
FROM GRANTS AND DONATIONS TRUST FUND . . . 122,000

990 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 112,913

991 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 21,288
FROM GRANTS AND DONATIONS TRUST FUND . . . 480

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 16,336,068
FROM TRUST FUNDS 1,598,531

TOTAL POSITIONS 289.50
TOTAL ALL FUNDS 17,934,599

PUBLIC DEFENDERS

The Public Defenders Coordination Office's budgeting needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 992 through 1088. The total funding for this office shall not exceed $400,000.

Funds in Specific Appropriations 992 through 1073 include $4,750,000 from General Revenue and 58 FTE for increased workload. Each public defender in a circuit with a population of one million or more shall dedicate at least 2 additional assistant public defender FTE to expedite the resolution of civil commitment proceedings of sexually violent predators pursuant to Part V of Chapter 394 that have been pending for more than 545 days so that all such cases in existence on July 1, 2006, are resolved by December 31, 2006. Each public defender in a circuit with a population of less than one million shall dedicate at least 1 additional assistant public defender FTE to expedite the resolution of civil commitment proceedings of sexually violent predators pursuant to Part V of Chapter 394 that have been pending for more than 545 days so that all such cases in existence on July 1, 2006, are resolved by December 31, 2006. A public defender shall be exempt from this requirement upon written notification to the Governor, the Speaker of the House of Representatives, and the President of the Senate that there are no cases within that circuit existing on July 1, 2006, that have been pending for more than 545 days. Additional FTE assigned pursuant to this paragraph shall continue to be assigned for the above stated purpose until all such cases pending for more than 545 days have been resolved.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,539,789

992 SALARIES AND BENEFITS POSITIONS 123.00
FROM GENERAL REVENUE FUND 7,033,617
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 166,059

993 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,888
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 68,792

993A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 17,000

994 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 408,496
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 175,004

995 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,319

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,503,320
FROM TRUST FUNDS 431,855

TOTAL POSITIONS 123.00
TOTAL ALL FUNDS 7,935,175

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,788,147

996 SALARIES AND BENEFITS POSITIONS 87.75
FROM GENERAL REVENUE FUND 4,846,169
FROM GRANTS AND DONATIONS TRUST FUND . . . 33,079
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 90,293

997 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,744
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 57,572

998 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 341,758
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,677
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 70,666

999 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 18,123

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,226,794
FROM TRUST FUNDS 253,287

TOTAL POSITIONS 87.75
TOTAL ALL FUNDS 5,480,081

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,831,868

1000 SALARIES AND BENEFITS POSITIONS 33.00
FROM GENERAL REVENUE FUND 2,303,583
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 66,190

1001 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,887
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 34,216

1001A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,000

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1002 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 163,550
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 15,200

1003 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,609

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,480,629
FROM TRUST FUNDS 134,606

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 2,615,235

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,705,007

1004 SALARIES AND BENEFITS POSITIONS 153.00
FROM GENERAL REVENUE FUND 9,679,215
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 178,803

1005 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,277
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,308

1005A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,500

1006 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 343,627
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,467

1007 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,056

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 10,089,175
FROM TRUST FUNDS 463,078

TOTAL POSITIONS 153.00
TOTAL ALL FUNDS 10,552,253

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,527,397

1008 SALARIES AND BENEFITS POSITIONS 105.00
FROM GENERAL REVENUE FUND 5,856,362
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 89,098

1009 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 217,592

1009A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 60,798

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1010 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 263,443
FROM GRANTS AND DONATIONS TRUST FUND . . . 30,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 301,263

1011 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,532

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,178,337
FROM TRUST FUNDS 698,751

TOTAL POSITIONS 105.00
TOTAL ALL FUNDS 6,877,088

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,658,457

1012 SALARIES AND BENEFITS POSITIONS 227.50
FROM GENERAL REVENUE FUND 12,827,829
FROM GRANTS AND DONATIONS TRUST FUND . . . 211,197
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 368,287

From the funds and rate in Specific Appropriations 1012 and 1014, $242,207 and four positions are provided to the Office of the Public Defender, 6th Circuit, for a pilot program providing special public defenders for children in both dependency and delinquency. The positions shall be attorneys who serve as both the public defender on the criminal case and the attorney ad litem representing the child in the dependency case and in any other case in the family court system which involves the child and requires an attorney ad litem. A portion of the funds shall be used for training the attorneys to serve as attorneys ad litem. Priority for assignment to the special public defenders shall be given to the most serious cases as determined by the Office of the Public Defender.

1013 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 82,867
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 55,978

1014 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 876,344
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 183,794

1015 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 51,072

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,838,112
FROM TRUST FUNDS 821,256

TOTAL POSITIONS 227.50
TOTAL ALL FUNDS 14,659,368

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,529,715

1016 SALARIES AND BENEFITS POSITIONS 122.50
FROM GENERAL REVENUE FUND 7,045,020
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 126,098

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1017 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 34
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 3,230

1018 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 218,701
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 84,638

1019 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,245

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,291,000
FROM TRUST FUNDS 213,966

TOTAL POSITIONS 122.50
TOTAL ALL FUNDS 7,504,966

PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,461,501

1020 SALARIES AND BENEFITS POSITIONS 73.50
FROM GENERAL REVENUE FUND 4,432,708
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 81,614

1021 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,919
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 82,178

1021A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 18,000

1022 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 195,735
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 68,234

1023 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 25,413

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,666,775
FROM TRUST FUNDS 260,026

TOTAL POSITIONS 73.50
TOTAL ALL FUNDS 4,926,801

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,211,704

1024 SALARIES AND BENEFITS POSITIONS 192.00
FROM GENERAL REVENUE FUND 9,100,395
FROM GRANTS AND DONATIONS TRUST FUND . . . 646,194
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 929,867

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1025 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,500
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 141,520

1026 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,401,108
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,135,559

1027 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,993

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 10,550,496
FROM TRUST FUNDS 2,862,640

TOTAL POSITIONS 192.00
TOTAL ALL FUNDS 13,413,136

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,180,818

1028 SALARIES AND BENEFITS POSITIONS 114.00
FROM GENERAL REVENUE FUND 6,561,296
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 120,378

1029 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,580
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,930

1030 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 271,328
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 97,572

1031 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 37,188

TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,882,392
FROM TRUST FUNDS 246,880

TOTAL POSITIONS 114.00
TOTAL ALL FUNDS 7,129,272

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 20,433,288

1032 SALARIES AND BENEFITS POSITIONS 416.00
FROM GENERAL REVENUE FUND 24,319,769
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 394,365

1033 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 95,217
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 71,949

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1034 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 95,890

1035 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 801,801
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 95,489

1036 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 199,822

TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 25,512,499
FROM TRUST FUNDS 1,581,803

TOTAL POSITIONS 416.00
TOTAL ALL FUNDS 27,094,302

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,561,967

1037 SALARIES AND BENEFITS POSITIONS 97.00
FROM GENERAL REVENUE FUND 5,466,678
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 391,239

1038 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 38,699
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 9,360

1039 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 451,399
FROM GRANTS AND DONATIONS TRUST FUND . . . 58,400
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 142,797

1040 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,586

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,970,362
FROM TRUST FUNDS 601,796

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 6,572,158

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,971,594

1041 SALARIES AND BENEFITS POSITIONS 221.25
FROM GENERAL REVENUE FUND 11,782,257
FROM GRANTS AND DONATIONS TRUST FUND . . . 359,835
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 587,342

1042 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 48,954
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 11,201

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1043 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 44,000

1044 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 777,366
FROM GRANTS AND DONATIONS TRUST FUND . . . 107,844
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 83,301

1045 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,841

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,653,418
FROM TRUST FUNDS 1,193,523

TOTAL POSITIONS 221.25
TOTAL ALL FUNDS 13,846,941

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,108,401

1046 SALARIES AND BENEFITS POSITIONS 62.50
FROM GENERAL REVENUE FUND 3,957,835
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 61,007

1047 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,101
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 109,358

1048 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 199,321
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 91,296

1049 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 18,594

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,182,851
FROM TRUST FUNDS 276,661

TOTAL POSITIONS 62.50
TOTAL ALL FUNDS 4,459,512

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,117,748

1050 SALARIES AND BENEFITS POSITIONS 204.50
FROM GENERAL REVENUE FUND 11,332,191
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 206,804

1051 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 248,199
FROM GRANTS AND DONATIONS TRUST FUND . . . 107,666
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 93,620

SECTION 4
SPECIFIC
APPROPRIATION

1052 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 638,649
FROM GRANTS AND DONATIONS TRUST FUND . . . 78,670
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 240,012

1053 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 143,863

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,362,902
FROM TRUST FUNDS 726,772

TOTAL POSITIONS 204.50
TOTAL ALL FUNDS 13,089,674

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,115,533

1054 SALARIES AND BENEFITS POSITIONS 45.50
FROM GENERAL REVENUE FUND 2,609,724
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 47,948

1055 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 13,468
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 24,369

1056 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 136,064
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 53,310

1057 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,174

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,765,430
FROM TRUST FUNDS 132,627

TOTAL POSITIONS 45.50
TOTAL ALL FUNDS 2,898,057

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,387,017

1058 SALARIES AND BENEFITS POSITIONS 220.00
FROM GENERAL REVENUE FUND 13,976,997
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 343,816

1059 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 86,757
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 36,000

1060 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 752,882
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 110,305

SECTION 4
SPECIFIC
APPROPRIATION

1061 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 56,896

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 14,873,532
FROM TRUST FUNDS 490,121

TOTAL POSITIONS 220.00
TOTAL ALL FUNDS 15,363,653

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,637,947

1062 SALARIES AND BENEFITS POSITIONS 121.00
FROM GENERAL REVENUE FUND 6,410,124
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 907,900

1063 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,953
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,160

1063A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 57,150

1064 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 493,856
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 615,874

1065 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 18,153

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,935,086
FROM TRUST FUNDS 1,614,084

TOTAL POSITIONS 121.00
TOTAL ALL FUNDS 8,549,170

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,575,910

1066 SALARIES AND BENEFITS POSITIONS 74.50
FROM GENERAL REVENUE FUND 4,370,442
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 202,350

1067 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,143
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 114,750

1067A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 20,000

1068 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

SECTION 4
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	721,190	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		171,415

1069 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	34,322	

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	5,146,097	
FROM TRUST FUNDS		508,515
TOTAL POSITIONS	74.50	
TOTAL ALL FUNDS		5,654,612

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,565,619

1070 SALARIES AND BENEFITS POSITIONS 120.50

FROM GENERAL REVENUE FUND	6,634,363	
FROM GRANTS AND DONATIONS TRUST FUND . . .		413,310
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		94,836

1071 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	15,287	
FROM GRANTS AND DONATIONS TRUST FUND . . .		20,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		132,810

1071A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES

FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		47,000

1072 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

FROM GENERAL REVENUE FUND	615,750	
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		550,309

1073 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	59,161	

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	7,324,561	
FROM TRUST FUNDS		1,261,265
TOTAL POSITIONS	120.50	
TOTAL ALL FUNDS		8,585,826

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,792,111

1074 SALARIES AND BENEFITS POSITIONS 34.75

FROM GENERAL REVENUE FUND	2,260,376	

1075 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	7,500	

1076 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

FROM GENERAL REVENUE FUND	170,695	

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	2,438,571	
TOTAL POSITIONS	34.75	
TOTAL ALL FUNDS		2,438,571

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,733,614

1077 SALARIES AND BENEFITS POSITIONS 33.00

FROM GENERAL REVENUE FUND	2,169,456	

1078 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	2,400	

1079 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

FROM GENERAL REVENUE FUND	184,164	

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	2,356,020	
TOTAL POSITIONS	33.00	
TOTAL ALL FUNDS		2,356,020

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,478,834

1080 SALARIES AND BENEFITS POSITIONS 51.00

FROM GENERAL REVENUE FUND	3,146,453	

1081 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	805,744	

1082 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

FROM GENERAL REVENUE FUND	153,142	

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	4,105,339	
TOTAL POSITIONS	51.00	
TOTAL ALL FUNDS		4,105,339

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,550,610

1083 SALARIES AND BENEFITS POSITIONS 24.00

FROM GENERAL REVENUE FUND	1,932,634	

1084 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	9,165	

1085 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

FROM GENERAL REVENUE FUND	114,055	

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND	2,055,854	
TOTAL POSITIONS	24.00	
TOTAL ALL FUNDS		2,055,854

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,514,082

1086 SALARIES AND BENEFITS POSITIONS 38.00
FROM GENERAL REVENUE FUND 3,103,405

1087 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,837

1088 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 166,021

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,277,263

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 3,277,263

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,212,959

1089 SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,839,921

1090 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,307

1090A EXPENSES
FROM GENERAL REVENUE FUND 626,581

1090B OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,321

1091 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 550,244

1092 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 75,000

1094 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,715

1094A SPECIAL CATEGORIES
CAPITAL COLLATERAL REGIONAL COUNSELS LAW LIBRARY
FROM GENERAL REVENUE FUND 10,000

1094B DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,500

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 4,159,589

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 4,159,589

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 1,754,041

1095 SALARIES AND BENEFITS POSITIONS 32.00
FROM GENERAL REVENUE FUND 2,237,160

1096 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 41,544

1096A EXPENSES
FROM GENERAL REVENUE FUND 520,284

1096B OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,038

1097 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 664,303

1098 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 75,000

1100 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,219

1100A SPECIAL CATEGORIES
CAPITAL COLLATERAL REGIONAL COUNSELS LAW LIBRARY
FROM GENERAL REVENUE FUND 6,500

1100B DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,500

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,552,548

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 3,552,548

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1101 through 1183, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1101 through 1183, the Department of Juvenile Justice is directed to withhold funds from contract payments to any provider if that provider failed to comply with contract requirements that it maintain property insurance and if the failure to do so resulted in uninsured losses. The amount withheld shall not exceed the amount of the uninsured loss and may be reduced by other remedial actions agreed upon by the department and the provider.

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

APPROVED SALARY RATE 61,687,971

1101	SALARIES AND BENEFITS POSITIONS	2,098.50	
	FROM GENERAL REVENUE FUND	12,933,637	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		24,209
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		70,555,902
1102	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	313,119	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		235,767
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,091,409
1103	EXPENSES		
	FROM GENERAL REVENUE FUND	776,053	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,310,988
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		5,307,821
1104	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	10,771	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		7,293
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		219,973
1105	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	1,554,110	

From the funds in Specific Appropriation 1105, the following juvenile justice projects are funded from non-recurring general revenue funds, unless specifically noted:

Girls Advocacy Project - G.A.P. Statewide.....	775,000
Girls' Advocacy Project - G.A.P. Miami-Dade (Recurring).....	150,000
Girls' Advocacy Project - G.A.P. Lee County.....	50,000
Automated Time And Attendance Project.....	200,000
Juvenile Detention Center-Village Inn for Girls.....	350,000

1106	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS		
	FROM GENERAL REVENUE FUND	5,306,166	
1107	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	225,449	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,000,113
1108	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,773,209	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,662,069
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		8,877,088
1109	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	579,082	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		3,983,828
1110	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	137,781	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		553
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		729,036
1110A	QUALIFIED EXPENDITURE CATEGORY		
	PALM BEACH DETENTION CENTER CONTRACT		
	FROM GENERAL REVENUE FUND	409,391	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		58,733
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,912,331

Funds in Specific Appropriation 1110A are provided to outsource operations of the Palm Beach Detention Center. A contract shall be awarded based on a request for proposals (RFP) pursuant to section 287.057(2), Florida Statutes, and shall begin on January 1, 2007. The department shall consult with Palm Beach County during development of the RFP and during evaluation of the bids. The contract shall result in a cost savings to counties of at least $100,000 on an annual basis and shall require the provider to cooperate with the department to provide an accurate monthly list of all juveniles detained at the Palm Beach Detention Center to Palm Beach County. The list shall include the legal status and county of residence of each youth detained at the facility for the previous month. In the event that no responsive bid achieves the required cost savings, funds in Specific Appropriation 1110A shall be transferred into state operating categories and the department shall continue to operate the detention center.

1111	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND	6,471,103	
1112	FIXED CAPITAL OUTLAY		
	IMPROVEMENTS TO SECURITY SYSTEMS		
	FROM GENERAL REVENUE FUND	1,518,860	
TOTAL:	DETENTION CENTERS		
	FROM GENERAL REVENUE FUND	33,008,731	
	FROM TRUST FUNDS		98,977,113
	TOTAL POSITIONS	2,098.50	
	TOTAL ALL FUNDS		131,985,844

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

AFTERCARE SERVICES - CONDITIONAL RELEASE

APPROVED SALARY RATE 784,484

1113	SALARIES AND BENEFITS POSITIONS	25.00	
	FROM GENERAL REVENUE FUND	999,360	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,388
1114	EXPENSES		
	FROM GENERAL REVENUE FUND	123,120	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		15,987
1115	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	2,294,225	

From the funds in Specific Appropriation 1115, non-recurring general revenue is provided for the following:

Southwest Florida Marine Institute - Contracted Conditional Release.....	273,750
Outward Bound Alternative Transition Services Program.....	183,240

SECTION 4
SPECIFIC
APPROPRIATION

1116 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,714

1117 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 27,191,701
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,812,600
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 992

1118 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,996
FROM GRANTS AND DONATIONS TRUST FUND . . . 24

TOTAL: AFTERCARE SERVICES - CONDITIONAL RELEASE
FROM GENERAL REVENUE FUND 30,620,116
FROM TRUST FUNDS 1,831,991

TOTAL POSITIONS 25.00
TOTAL ALL FUNDS 32,452,107

JUVENILE PROBATION

APPROVED SALARY RATE 49,999,529

1119 SALARIES AND BENEFITS POSITIONS 1,529.50
FROM GENERAL REVENUE FUND 55,922,613
FROM GRANTS AND DONATIONS TRUST FUND . . . 144,363
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 7,645,060

1120 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 982,637
FROM GRANTS AND DONATIONS TRUST FUND . . . 224,369

1121 EXPENSES
FROM GENERAL REVENUE FUND 8,867,768
FROM GRANTS AND DONATIONS TRUST FUND . . . 64,518
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 494,362

1122 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 76,594

1122A SPECIAL CATEGORIES
JUVENILE REDIRECTIONS PROGRAM
FROM GENERAL REVENUE FUND 5,002,675

From the funds in Specific Appropriation 1122A, $1,982,675 from recurring general revenue is provided to continue the redirection program initially authorized in FY 2004-2005 and expanded in FY 2005-2006. As part of the treatment alternative, the redirection program shall include short-term residential placement sufficient to stabilize the youth and shall utilize electronic monitoring for a sufficient number of youth to allow for a statistically valid evaluation of electronic monitoring as an additional supervision tool. Treatment services shall include multi-systemic therapy or functional family therapy for youth for whom these services are appropriate.

Only youth who are before the court solely for a non-law violation of probation and whom the judge determines would otherwise need long-term residential commitment to address treatment needs shall be eligible for placement into this program. Further, youth who have been adjudicated or convicted of a violent crime or first degree felony, or otherwise have a criminal history of such offenses, shall not be eligible for placement into this program. The department and each participating court shall agree on a protocol to identify youth appropriate for diversion into this program.

SECTION 4
SPECIFIC
APPROPRIATION

In addition, $3,020,000 from the General Revenue Fund is provided to expand community-based redirection services to 360 additional youth, at least 50 of whom must be females. Eligibility for the expanded services shall be limited to youth who are before the court for a non-law violation of probation or conditional release or a misdemeanor unless the child has been adjudicated delinquent for a violent felony or has been convicted or had adjudication withheld for any felony offense in adult court.

The department, in consultation with the Office of Program Policy Analysis and Governmental Accountability (OPPAGA), shall develop reporting protocols to gather and maintain the data necessary to allow OPPAGA to conduct a longitudinal evaluation of the program, including the program expansion, which shall include a comparison of the effectiveness of the various components of the program.

1123 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 1,080,000

1124 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,336,576
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 70,346

1125 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 10,892,397
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,355,535

1126 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 829,705

1127 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 24,960

1128 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 543,165
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,639

TOTAL: JUVENILE PROBATION
FROM GENERAL REVENUE FUND 85,559,090
FROM TRUST FUNDS 10,074,192

TOTAL POSITIONS 1,529.50
TOTAL ALL FUNDS 95,633,282

NON-RESIDENTIAL DELINQUENCY REHABILITATION

1129 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 200,000

1130 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 22,062,079
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,462
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 81,003

TOTAL: NON-RESIDENTIAL DELINQUENCY REHABILITATION
FROM GENERAL REVENUE FUND 22,262,079
FROM TRUST FUNDS 99,465

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS		22,361,544

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,365,918

1131	SALARIES AND BENEFITS POSITIONS	228.50	
	FROM GENERAL REVENUE FUND	11,695,586	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		360,318
1132	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	714,465	
	FROM ADMINISTRATIVE TRUST FUND		72,341
	FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712
1133	EXPENSES		
	FROM GENERAL REVENUE FUND	2,851,250	
	FROM ADMINISTRATIVE TRUST FUND		683,335
	FROM GRANTS AND DONATIONS TRUST FUND . . .		549,413
	FROM JUVENILE JUSTICE TRAINING TRUST FUND		685,709
1134	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	35,852	
1135	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	450,000	
1136	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	35,555	
1137	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	325,925	
1138	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	402,091	
	FROM JUVENILE JUSTICE TRAINING TRUST FUND		1,989,189
1139	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	242,978	
1140	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	98,863	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		3,046
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	16,852,565	
	FROM TRUST FUNDS		4,355,063
	TOTAL POSITIONS	228.50	
	TOTAL ALL FUNDS		21,207,628

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,844,768

1141	SALARIES AND BENEFITS POSITIONS	64.50	
	FROM GENERAL REVENUE FUND	3,457,294	

SECTION 4
SPECIFIC
APPROPRIATION

1142	EXPENSES		
	FROM GENERAL REVENUE FUND	2,432,990	
	FROM ADMINISTRATIVE TRUST FUND		49,793
	FROM GRANTS AND DONATIONS TRUST FUND . . .		29,111
1143	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	92,834	
1144	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	541,136	
1145	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,693	
1145A	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	25,852	
TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	6,557,799	
	FROM TRUST FUNDS		78,904
	TOTAL POSITIONS	64.50	
	TOTAL ALL FUNDS		6,636,703

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1146 through 1171, the department shall provide monthly reports identifying all residential commitment beds in operation on the last day of the month and a detailed listing of facilities that opened, closed, or increased or decreased capacity during the reporting period.

NON-SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 8,563,855

1146	SALARIES AND BENEFITS POSITIONS	295.00	
	FROM GENERAL REVENUE FUND	8,353,328	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,671,248

Funds are provided in Specific Appropriations 1146 through 1156 for the department to operate 238 general offender beds for 12 months and 100 specialty beds for 12 months. The department may increase or decrease the number of beds provided that the department determines that the change will better serve taxpayers and the youth under its care. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

1147	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	112,066	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		166,771
1148	EXPENSES		
	FROM GENERAL REVENUE FUND	1,417,884	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		416,735
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		264,925
1149	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		21,231
1150	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	372,084	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		138,468

SECTION 4
SPECIFIC
APPROPRIATION

1150A LUMP SUM
PRICE LEVEL INCREASES FOR CONTRACT SERVICE PROVIDERS
FROM GENERAL REVENUE FUND 21,000,000

From the funds in Specific Appropriation 1150A, the Department of Juvenile Justice and contracted private providers shall submit by July 15, 2006, to the Governor, President of the Senate and the Speaker of the House of Representatives a report detailing, for each private provider, all of its filled and vacant positions directly related to the provision of services to the Department of Juvenile Justice and salary levels by position as of May 1, 2006. The department and each private provider shall revise the original report with updated salary levels by position as of October 1, 2006 and submit the report to the Governor, the President of the Senate and the Speaker of the House of Representatives by November 1, 2006. The department shall consult with the chairs of the Senate Justice Appropriations and House Criminal Justice Appropriations committees on the format for the report. The President of the Senate and the Speaker of the House of Representatives may request that the Auditor General audit these reports, including audits of any individual provider the Auditor General determines necessary, and submit its finding to the Legislature by January 1, 2007.

The private provider rate enhancement funding in Specific Appropriation 1150A shall be distributed by an equitable allocation formula developed by the Department of Juvenile Justice which may take into account past provider performance. Providers of the following programs and services shall, if eligible, receive a rate enhancement as a result of this funding: contracted aftercare/conditional release programs, respite beds, juvenile assessment centers, early intervention programs, contracted case management, non-residential sex offender programs, redirection programs, day treatment/minimum-risk commitment programs, independent living programs, intensive delinquency diversion services, juvenile alternative services programs, multi-systemic therapy, vocational programs, low/moderate/high/maximum-risk residential programs (except Sheriff's Training and Respect (STAR) academies), and the following prevention programs: PACE, Florida Youth Challenge, Hurricane Island Outward Bound, the PAR Adolescent Intervention Center, and Children in Need of Services/Families in Need of Services programs. Additionally the department may utilize up to $2.1 million from Specific Appropriation 1150A for improved medical services in residential programs.

1151 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 48,364

1151A SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 1,075,000

Funds in Specific Appropriation 1151A are provided from non-recurring funds as follows:

Project Craft..... 300,000
Peace River Outward Bound Repair And Maintenance..... 200,000
Escambia River Outward Bound Repair And Maintenance..... 75,000

1152 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 575,436
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 186,402

1153 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 128,215,743
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,469,842
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,382,034

Funds in Specific Appropriation 1153 are provided to contract for the operation of 3,455 general offender beds and 552 specialty beds. In addition, funds are provided for 266 mental health overlay slots and 290 substance abuse overlay slots for youth in non-secure residential commitment programs. The department may increase or decrease the number of beds or overlay slots provided that the department determines that the change will better serve taxpayers and the youth under its care. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

From the funds in Specific Appropriation 1153, $500,000 from non-recurring general revenue is provided for construction for the Eckerd Youth Alternatives facility in Christmas.

From the funds in Specific Appropriation 1153, $50,000 in non-recurring general revenue is provided to increase mental health services at the Department of Juvenile Justice's Milton Girls facility.

1153A SPECIAL CATEGORIES
SHERIFFS' TRAINING AND RESPECT (STAR) ACADEMIES - RESIDENTIAL AND AFTERCARE SERVICES
FROM GENERAL REVENUE FUND 11,057,625

Funds in Specific Appropriation 1153A are provided for Sheriffs' Training and Respect (STAR) programs as authorized by section 985.3091, Florida Statutes. No funds from Specific Appropriations 1101 through 1183 shall be expended for boot camp programs previously authorized by section 985.309, Florida Statutes.

Funds in Specific Appropriation 1153A are provided for 260 residential commitment beds, at least 65 aftercare slots and other services necessary to implement the Martin Lee Anderson Act. The department may increase or decrease the number of beds or slots provided that the department determines the change will better serve taxpayers and the youth under its care. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

1154 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,428,695

1155 SPECIAL CATEGORIES
GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES
FROM GENERAL REVENUE FUND 6,979,927

Funds in Specific Appropriation 1155 are provided to contract for the operation of 236 beds at the wilderness therapeutic services programs.

1156 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 118,923

1157 FIXED CAPITAL OUTLAY
DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS
FROM GENERAL REVENUE FUND 1,949,537

1158 FIXED CAPITAL OUTLAY
REPLACE CLASSROOM PORTABLES
FROM GENERAL REVENUE FUND 1,000,000

TOTAL: NON-SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND 183,704,612
FROM TRUST FUNDS 7,717,656

TOTAL POSITIONS 295.00
TOTAL ALL FUNDS 191,422,268

SECTION 4
SPECIFIC
APPROPRIATION
SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 25,286,897

1159 SALARIES AND BENEFITS POSITIONS 747.00
FROM GENERAL REVENUE FUND 31,252,541
FROM GRANTS AND DONATIONS TRUST FUND . . . 306,079
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,254,825

Funds in Specific Appropriations 1159 through 1171 are provided for the department to operate 228 general offender beds and 226 specialty beds. The department may increase or decrease the number of beds provided that the department determines that the change will better serve taxpayers and the youth under its care. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

1160 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 895,236
FROM GRANTS AND DONATIONS TRUST FUND . . . 243,109

1161 EXPENSES
FROM GENERAL REVENUE FUND 3,070,465
FROM GRANTS AND DONATIONS TRUST FUND . . . 225,686

1162 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 33,861

1163 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 348,945
FROM GRANTS AND DONATIONS TRUST FUND . . . 57,637

1164 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-
DOZIER TRAINING SCHOOL
FROM GENERAL REVENUE FUND 447,787
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 105,187

1165 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-
OKEECHOBEE TRAINING SCHOOL
FROM GENERAL REVENUE FUND 6,409,457
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,088
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,546,273

Funds in Specific Appropriation 1165 are provided to contract for the operation of 143 beds at the state-owned residential commitment facility in Okeechobee County.

1166 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,598,654

1167 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 41,587,667
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,373,229
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 30,808,311

From the funds in Specific Appropriation 1167, $142,900 from recurring general revenue is provided to the City of Pahokee as a payment in lieu of taxes.

Funds in Specific Appropriation 1167 are provided to contract for the operation of 1,076 general offender beds and 434 specialty beds. In addition, funds are provided for 713 mental health overlay slots and 117 substance abuse overlay slots. The department may increase or decrease the number of beds or overlay slots provided that the department determines that the change will better serve taxpayers and the youth under its care. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council.

1168 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,149,180

1169 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 280,960
FROM GRANTS AND DONATIONS TRUST FUND . . . 23,022

1169A FIXED CAPITAL OUTLAY
ECKERD YOUTH DEVELOPMENT CENTER AND OKEECHOBEE FACILITY HURRICANE REPAIRS
FROM GENERAL REVENUE FUND 1,800,000

1170 FIXED CAPITAL OUTLAY
DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS
FROM GENERAL REVENUE FUND 9,580,500

1171 FIXED CAPITAL OUTLAY
CORRECTIONS PRIVATIZATION COMMISSION - LEASE PURCHASE
FROM GENERAL REVENUE FUND 2,895,735

TOTAL: SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND 101,317,127
FROM TRUST FUNDS 39,009,307

TOTAL POSITIONS 747.00
TOTAL ALL FUNDS 140,326,434

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

APPROVED SALARY RATE 825,623

1172 SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 437,745
FROM GRANTS AND DONATIONS TRUST FUND . . . 473,018

1173 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 311,628
FROM GRANTS AND DONATIONS TRUST FUND . . . 208,160

1174 EXPENSES
FROM GENERAL REVENUE FUND 252,648
FROM GRANTS AND DONATIONS TRUST FUND . . . 316,648

1175 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INVEST IN CHILDREN
FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND 802,000

1176 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 24,900

1177 SPECIAL CATEGORIES
PACE CENTERS
FROM GENERAL REVENUE FUND 11,272,579

1178 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 6,748,000

SECTION 4
SPECIFIC
APPROPRIATION

From the funds in Specific Appropriation 1178, the following juvenile justice projects are funded from non-recurring general revenue funds, unless specifically noted:

PAR Adolescent Intervention Center (PAIC) Pasco County (Recurring)	725,000
Youth Advocate Programs, Inc	300,000
The Youth Wellness Assistance Program	50,000
Putnam County Sheriff's Work Ethics And Training (SWEAT) Program	75,000
Youth Crime Watch Of Florida	100,000
Center For Advanced Learning	100,000
Seminole County Juvenile Drug Court	280,000
New Horizons	50,000
Tutorial Educational Recreation Program	150,000
The Grove Adolescent Vocational Program	225,000
Creating Long Lasting Family Connections-Putnam County Juvenile Diversion/Intervention Program	50,000
Youth Crime Watch Here And Now	150,000
Culinary Education And Training For At Risk Youths (CETARY)	100,000
Change The Culture	300,000
Back To Basics: Ex-Offender Reentry Program	80,000
African-American Male Summit	75,000
Statewide Gang Prevention Program	250,000
Mental Health And Family Counseling Services For Juvenile Offenders	268,000
Mental Health And Substance Abuse Program For Youth Under The Age Of 18	150,000
Girls Mentoring Program	75,000
Reconnecting Youth	70,000
Family Referral Network	100,000
Smart Moves	100,000
Youth Summer Jobs Program	75,000
Middle And High School Prevention Services	100,000
Minority Female Delinquency Prevention Program	50,000
Youth Enhancement Skills (YES)	600,000
Community Youth Center	100,000
Domestic Violence Juvenile Offender Diversion	100,000
Children's Advocacy Council- Trauma Counseling For Victimized Youth	50,000
Jesca Floyd Youth Internship Program	200,000
Jesca Young Girls 2 Young Ladies Program	200,000
Juvenile Workforce Development Initiative	500,000
Hands Program	400,000

In addition, $200,000 from non-recurring general revenue is provided to the South Miami Panthers and its partner, the City of South Miami, to expand the public-private partnership's diversion and delinquency prevention services offered to Dade, Broward, and Palm Beach residents.

1179 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	36,590	
FROM GRANTS AND DONATIONS TRUST FUND		50,000
1180 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,198,000	
FROM GRANTS AND DONATIONS TRUST FUND		12,938,414
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639
1181 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	20,761	
1182 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES		
FROM GENERAL REVENUE FUND	31,079,336	
FROM GRANTS AND DONATIONS TRUST FUND		1,000,000
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		383,858

SECTION 4
SPECIFIC
APPROPRIATION

From the funds in Specific Appropriation 1182, the Department of Juvenile Justice shall not expend more than $150,000 in recurring general revenue for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

1183 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,578	
FROM GRANTS AND DONATIONS TRUST FUND		3,867
TOTAL: DELINQUENCY PREVENTION AND DIVERSION		
FROM GENERAL REVENUE FUND	51,360,865	
FROM TRUST FUNDS		16,203,504
TOTAL POSITIONS	17.00	
TOTAL ALL FUNDS		67,564,369

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 5,968,326

1184 SALARIES AND BENEFITS POSITIONS 124.00		
FROM GENERAL REVENUE FUND	3,428,456	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		468,861
FROM GRANTS AND DONATIONS TRUST FUND		475,255
FROM OPERATING TRUST FUND		2,345,753
1185 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	38,190	
FROM GRANTS AND DONATIONS TRUST FUND		426,848
FROM OPERATING TRUST FUND		189,000
1186 EXPENSES		
FROM GENERAL REVENUE FUND	986,088	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		42,532
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		271,801
FROM GRANTS AND DONATIONS TRUST FUND		242,293
FROM OPERATING TRUST FUND		393,889
FROM REVOLVING TRUST FUND		1,000,000
1187 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES		
FROM GRANTS AND DONATIONS TRUST FUND		2,683,102
1188 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS		
FROM GRANTS AND DONATIONS TRUST FUND		1,529,434
1189 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS		
FROM GRANTS AND DONATIONS TRUST FUND		1,263,483
1190 AID TO LOCAL GOVERNMENTS		
BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM		
FROM GRANTS AND DONATIONS TRUST FUND		19,118,106

SECTION 4
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APPROPRIATION

1191	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	26,933	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,000
	FROM OPERATING TRUST FUND		337
1192	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	9,650	
	FROM OPERATING TRUST FUND		402
1193	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY AND STATEWIDE DRUG ABUSE PREVENTION PROGRAM		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,497,908
1194	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	17,350	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		703
	FROM GRANTS AND DONATIONS TRUST FUND . . .		327
	FROM OPERATING TRUST FUND		14,510
1195	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PROJECT DARE		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		508,302
1196	SPECIAL CATEGORIES		
	DOMESTIC SECURITY		
	FROM OPERATING TRUST FUND		400,000
1197	SPECIAL CATEGORIES		
	TRANSFER TO EXECUTIVE OFFICE OF THE GOVERNOR - GRANTS AND DONATIONS TRUST FUND		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000
1198	SPECIAL CATEGORIES		
	OVERTIME		
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		748
1199	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	18,250	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		10,275
	FROM GRANTS AND DONATIONS TRUST FUND . . .		13,989
	FROM OPERATING TRUST FUND		25,909
1200	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	19,667	
1201	SPECIAL CATEGORIES		
	BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		10,412,678
1202	SPECIAL CATEGORIES		
	GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,247,724
1203	SPECIAL CATEGORIES		
	GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		3,675,511
1204	SPECIAL CATEGORIES		
	GRANTS AND AID - LOCAL LAW ENFORCEMENT BLOCK GRANT - LOCAL UNITS OF GOVERNMENT		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		768,522

SECTION 4
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APPROPRIATION

1205	SPECIAL CATEGORIES		
	GRANTS AND AID - VIOLENT OFFENDER INCARCERATIONS AND TRUTH-IN- SENTENCING INCENTIVE PROGRAM - STATE AGENCY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		7,804,137
1206	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	26,334	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,601
	FROM GRANTS AND DONATIONS TRUST FUND . . .		3,650
	FROM OPERATING TRUST FUND		18,018
1207	SPECIAL CATEGORIES		
	VIOLENT CRIME INVESTIGATIVE EMERGENCIES		
	FROM GENERAL REVENUE FUND	1,300,000	
	FROM OPERATING TRUST FUND		2,200,000
TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	5,870,918	
	FROM TRUST FUNDS		62,161,608
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		68,032,526

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

	APPROVED SALARY RATE 3,227,513		
1208	SALARIES AND BENEFITS POSITIONS 88.00		
	FROM GENERAL REVENUE FUND	55,523	
	FROM OPERATING TRUST FUND		4,456,746
1209	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		15,000
1210	EXPENSES		
	FROM OPERATING TRUST FUND		586,630
1211	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		85,369
1212	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM OPERATING TRUST FUND		30,500
1213	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		58,862
1214	SPECIAL CATEGORIES		
	CAPITOL COMPLEX SECURITY		
	FROM GENERAL REVENUE FUND	28,500	
1215	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		53,339
1216	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM OPERATING TRUST FUND		38,064
1217	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	436	
	FROM OPERATING TRUST FUND		34,978

SECTION 4
SPECIFIC
APPROPRIATION

1218 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM OPERATING TRUST FUND 6,969

TOTAL: CAPITOL POLICE SERVICES
FROM GENERAL REVENUE FUND 84,459
FROM TRUST FUNDS 5,366,457

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 5,450,916

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,008,066

1219 SALARIES AND BENEFITS POSITIONS 417.00
FROM GENERAL REVENUE FUND 26,438,878
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 38,008
FROM GRANTS AND DONATIONS TRUST FUND . . . 14,071

1220 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 182,225
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1221 EXPENSES
FROM GENERAL REVENUE FUND 5,788,278
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 472,831
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,240,181
FROM OPERATING TRUST FUND 171,912

From the funds in Specific Appropriation 1221, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the Department of Law Enforcement is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1221 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1222 AID TO LOCAL GOVERNMENTS
CRIMINAL INVESTIGATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,811,474
FROM OPERATING TRUST FUND 2,379,702

1223 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 712,978
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,298,028
FROM FEDERAL EQUITABLE SHARING TRUST FUND 740,000

1224 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 201,498

1225 SPECIAL CATEGORIES
PERFORMANCE ADJUSTMENTS
FROM GENERAL REVENUE FUND 418,646

1226 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 378,792
FROM GRANTS AND DONATIONS TRUST FUND . . . 922,918

1227 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 78,166

SECTION 4
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APPROPRIATION

1228 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 165,569
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 241
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,286

TOTAL: PROVIDE CRIME LAB SERVICES
FROM GENERAL REVENUE FUND 34,286,864
FROM TRUST FUNDS 10,669,818

TOTAL POSITIONS 417.00
TOTAL ALL FUNDS 44,956,682

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 37,902,995

1229 SALARIES AND BENEFITS POSITIONS 717.00
FROM GENERAL REVENUE FUND 48,509,425
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 12,229
FROM GRANTS AND DONATIONS TRUST FUND . . . 613,268
FROM OPERATING TRUST FUND 2,982,742

1230 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 751,271
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 66,879
FROM GRANTS AND DONATIONS TRUST FUND . . . 271,450
FROM OPERATING TRUST FUND 136,000

1231 EXPENSES
FROM GENERAL REVENUE FUND 10,339,730
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 853,875
FROM GRANTS AND DONATIONS TRUST FUND . . . 530,317
FROM OPERATING TRUST FUND 1,120,080
FROM FEDERAL EQUITABLE SHARING TRUST FUND 50,000

From the funds provided in Specific Appropriation 1231 from the Forfeiture and Investigative Support Trust Fund, up to $25,000 per case, but not exceeding $150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.

1232 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 124,400
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 190,574
FROM GRANTS AND DONATIONS TRUST FUND . . . 64,509
FROM FEDERAL EQUITABLE SHARING TRUST FUND 924,019

1234 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 512,348
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 580,000

1235 SPECIAL CATEGORIES
PERFORMANCE ADJUSTMENTS
FROM GENERAL REVENUE FUND 117,000

1236 SPECIAL CATEGORIES
FLORIDA SEAPORT SECURITY IMPROVEMENTS
FROM GENERAL REVENUE FUND 300,622

1237 SPECIAL CATEGORIES
CONTRACTED SERVICES

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FROM GENERAL REVENUE FUND	255,162	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		105
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,441
FROM OPERATING TRUST FUND		111,940

1238 SPECIAL CATEGORIES
DOMESTIC SECURITY

FROM GENERAL REVENUE FUND	1,744,991	
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,064,616

1239 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL PROJECTS

FROM GENERAL REVENUE FUND	2,930,199	
FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000

From the funds in Specific Appropriation 1239 the following local public safety and law enforcement initiatives are funded from non-recurring general revenue funds, unless specifically noted.

A Child Is Missing Program - Broward (Recurring).....	200,000
Alzheimers Safe Return Project (Statewide).....	250,000
Automated External Defibrillator (AED) to Pasco Juvenile Detention Center.....	100,000
St. Cloud Regional Firearms Training Facility - Osceola.....	150,000
Mobile Police Vehicle Technology - City of Fort Lauderdale - Broward.....	100,000
City Of Coral Springs Project Lifesaver - Broward.....	14,999
Radio Communication Equipment City of Hialeah - Miami-Dade..	25,000
Automatic Vehicle Locators - City of Hialeah - Miami-Dade...	50,000
Criminal Signal Information Locator System - City of Hialeah - Miami-Dade.....	50,000
Mobile Data Terminal Project - City of Hialeah - Miami-Dade.	50,000
XPS 5000 Radio Project - City of Hialeah - Miami-Dade.....	50,000
National Incident Management System Compliance Training - Miami-Dade	65,200
Police Dept. Crime Scene Investigations Bureau - Miami-Dade.	875,000
City of North Bay Village Docking Facility - Miami-Dade.....	50,000
County Sheriff Administrative Building - Emergency Operating Center - Nassau	150,000

1240 SPECIAL CATEGORIES
OVERTIME

FROM GRANTS AND DONATIONS TRUST FUND . . .		377,223
FROM FEDERAL EQUITABLE SHARING TRUST FUND		868,486

1241 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	489,312	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		2,985
FROM OPERATING TRUST FUND		134,130

1242 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS

FROM GENERAL REVENUE FUND	504,158	
FROM OPERATING TRUST FUND		32,760

1243 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	267,080	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,444
FROM GRANTS AND DONATIONS TRUST FUND . . .		4,411
FROM OPERATING TRUST FUND		17,697

1244 FIXED CAPITAL OUTLAY
MINOR REPAIRS AND RENOVATIONS AT REGIONAL OPERATING FACILITIES

FROM GENERAL REVENUE FUND	539,500	
FROM GRANTS AND DONATIONS TRUST FUND . . .		78,300

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TOTAL: PROVIDE INVESTIGATIVE SERVICES

FROM GENERAL REVENUE FUND	67,385,198	
FROM TRUST FUNDS		12,192,480
TOTAL POSITIONS	717.00	
TOTAL ALL FUNDS		79,577,678

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE 1,145,486

1245 SALARIES AND BENEFITS POSITIONS 21.00

FROM GENERAL REVENUE FUND	1,485,210	
FROM OPERATING TRUST FUND		29,986

1246 EXPENSES

FROM GENERAL REVENUE FUND	139,007	

1247 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	441	

1248 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	2,139	

1248A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	8,250	
FROM OPERATING TRUST FUND		167

TOTAL: MUTUAL AID AND PREVENTION SERVICES

FROM GENERAL REVENUE FUND	1,635,047	
FROM TRUST FUNDS		30,153
TOTAL POSITIONS	21.00	
TOTAL ALL FUNDS		1,665,200

PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

APPROVED SALARY RATE 4,579,176

1249 SALARIES AND BENEFITS POSITIONS 108.00

FROM GENERAL REVENUE FUND	2,523,943	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		30,572
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,432,611

1250 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	16,406	
FROM GRANTS AND DONATIONS TRUST FUND . . .		544

1251 EXPENSES

FROM GENERAL REVENUE FUND	581,572	
FROM GRANTS AND DONATIONS TRUST FUND . . .		475,869

1252 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	104,227	

1253 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	5,529	
FROM GRANTS AND DONATIONS TRUST FUND . . .		127

1254 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	13,474	

1254A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	18,248	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		221
FROM GRANTS AND DONATIONS TRUST FUND . . .		24,817
1255 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	114,204	
FROM GRANTS AND DONATIONS TRUST FUND . . .		109,722
TOTAL: PUBLIC ASSISTANCE FRAUD INVESTIGATIONS		
FROM GENERAL REVENUE FUND	3,377,603	
FROM TRUST FUNDS		4,074,483
TOTAL POSITIONS	108.00	
TOTAL ALL FUNDS		7,452,086

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

APPROVED SALARY RATE 6,278,945

1256 SALARIES AND BENEFITS POSITIONS	126.00	
FROM GENERAL REVENUE FUND	1,139,224	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		128,876
FROM GRANTS AND DONATIONS TRUST FUND . . .		58,958
FROM OPERATING TRUST FUND		5,622,853
1257 OTHER PERSONAL SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,780,835
FROM OPERATING TRUST FUND		1,364,000
1258 EXPENSES		
FROM GENERAL REVENUE FUND	36,258	
FROM GRANTS AND DONATIONS TRUST FUND . . .		95,309
FROM OPERATING TRUST FUND		8,183,250
1259 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . .		457,399
FROM OPERATING TRUST FUND		7,300,287
1260 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	99	
FROM OPERATING TRUST FUND		2,589,896
1261 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		46,200
1262 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		5,436
1262A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,338	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,913
FROM GRANTS AND DONATIONS TRUST FUND . . .		431
FROM OPERATING TRUST FUND		40,989
1262B QUALIFIED EXPENDITURE CATEGORY		
INTEGRATED CRIMINAL HISTORY SYSTEM - FALCON		
FROM OPERATING TRUST FUND		4,762,672

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1263 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM OPERATING TRUST FUND		26,740
TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY		
FROM GENERAL REVENUE FUND	1,183,919	
FROM TRUST FUNDS		32,466,044
TOTAL POSITIONS	126.00	
TOTAL ALL FUNDS		33,649,963

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE 9,401,775

1264 SALARIES AND BENEFITS POSITIONS	277.00	
FROM GENERAL REVENUE FUND	559,959	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		189,324
FROM GRANTS AND DONATIONS TRUST FUND . . .		431,606
FROM OPERATING TRUST FUND		11,246,056
1265 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	143,000	
FROM GRANTS AND DONATIONS TRUST FUND . . .		365,275
FROM OPERATING TRUST FUND		644,195
1266 EXPENSES		
FROM GENERAL REVENUE FUND	66,569	
FROM GRANTS AND DONATIONS TRUST FUND . . .		405,866
FROM OPERATING TRUST FUND		2,088,628
1267 OPERATING CAPITAL OUTLAY		
FROM OPERATING TRUST FUND		394,192
1268 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	402	
FROM OPERATING TRUST FUND		93,168
1269 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		9,569
FROM OPERATING TRUST FUND		1,046,054
1270 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		218,946
1271 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		45,981
1272 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM OPERATING TRUST FUND		5,160
1273 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,153	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,742
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,972
FROM OPERATING TRUST FUND		103,438
TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	775,083	
FROM TRUST FUNDS		17,293,172

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TOTAL POSITIONS	277.00	
TOTAL ALL FUNDS		18,068,255

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,637,920

1274 SALARIES AND BENEFITS POSITIONS	56.00	
FROM GENERAL REVENUE FUND	33,142	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,046,990
1275 OTHER PERSONAL SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		355,465
1276 EXPENSES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		439,576
FROM OPERATING TRUST FUND		500,000
1277 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		165,924
1278 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		13,656
1279 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		18,426
1280 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPECIAL EDUCATION AND TECHNICAL TRAINING		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,001,252
1280A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	249	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		22,893
TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE		
FROM GENERAL REVENUE FUND	33,391	
FROM TRUST FUNDS		10,564,182
TOTAL POSITIONS	56.00	
TOTAL ALL FUNDS		10,597,573

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

APPROVED SALARY RATE 2,689,143

1281 SALARIES AND BENEFITS POSITIONS	56.00	
FROM GENERAL REVENUE FUND	318,812	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		2,903,231
FROM OPERATING TRUST FUND		200,637
1282 OTHER PERSONAL SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,042,618
FROM OPERATING TRUST FUND		33,000
1283 EXPENSES		
FROM GENERAL REVENUE FUND	21,368	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,682,820
FROM OPERATING TRUST FUND		51,629
1284 OPERATING CAPITAL OUTLAY		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		203,819
1285 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		35,182
FROM OPERATING TRUST FUND		579
1286 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,782
1287 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	4,290	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		5,070
1287A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,243	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		20,428
FROM OPERATING TRUST FUND		1,412
TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES		
FROM GENERAL REVENUE FUND	346,713	
FROM TRUST FUNDS		6,187,207
TOTAL POSITIONS	56.00	
TOTAL ALL FUNDS		6,533,920

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

CIVIL ENFORCEMENT

APPROVED SALARY RATE 25,608,210

1288 SALARIES AND BENEFITS POSITIONS	587.00	
FROM GENERAL REVENUE FUND	5,842,675	
FROM GRANTS AND DONATIONS TRUST FUND . . .		10,805,039
FROM LEGAL SERVICES TRUST FUND		9,910,424
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		5,420,350
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		1,356,107
1289 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	89,920	
FROM GRANTS AND DONATIONS TRUST FUND . . .		198,658
FROM LEGAL SERVICES TRUST FUND		869,851
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		154,500
1290 EXPENSES		
FROM GENERAL REVENUE FUND	647,890	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,768,862
FROM LEGAL SERVICES TRUST FUND		1,459,331
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		424,916

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1291 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	130,632	
FROM GRANTS AND DONATIONS TRUST FUND . . .		305,816
FROM LEGAL SERVICES TRUST FUND		520,700
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		51,938
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		44,114
1292 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	67,849	
FROM GRANTS AND DONATIONS TRUST FUND . . .		203,551
1293 SPECIAL CATEGORIES		
ANTITRUST INVESTIGATIONS		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		1,475,587
1294 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	9,750	
FROM GRANTS AND DONATIONS TRUST FUND . . .		16,350
FROM LEGAL SERVICES TRUST FUND		23,800
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		1,500
1295 SPECIAL CATEGORIES		
ECONOMIC CRIME LITIGATION		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		3,598,814
1297 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	31,466	
FROM GRANTS AND DONATIONS TRUST FUND . . .		65,866
FROM LEGAL SERVICES TRUST FUND		86,980
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		90,958
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		7,223
1298 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	32,554	
FROM GRANTS AND DONATIONS TRUST FUND . . .		97,661
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		4,680
1299 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	39,813	
FROM GRANTS AND DONATIONS TRUST FUND . . .		79,226
FROM LEGAL SERVICES TRUST FUND		72,066
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		38,778
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		9,861
1300 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		7,448
1301 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	12,483	
FROM GRANTS AND DONATIONS TRUST FUND . . .		35,000
FROM LEGAL SERVICES TRUST FUND		192,081
TOTAL: CIVIL ENFORCEMENT		
FROM GENERAL REVENUE FUND	6,905,032	
FROM TRUST FUNDS		39,398,036
TOTAL POSITIONS	587.00	
TOTAL ALL FUNDS		46,303,068

CONSTITUTIONAL LEGAL SERVICES

APPROVED SALARY RATE 1,536,678

1302 SALARIES AND BENEFITS POSITIONS	24.50	
FROM GENERAL REVENUE FUND	1,880,330	
FROM GRANTS AND DONATIONS TRUST FUND . . .		90,359
1303 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	24,900	
1304 EXPENSES		
FROM GENERAL REVENUE FUND	181,753	
1305 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	25,169	
1306 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,100	
1307 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	9,561	
1308 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	9,353	
FROM GRANTS AND DONATIONS TRUST FUND . . .		467
TOTAL: CONSTITUTIONAL LEGAL SERVICES		
FROM GENERAL REVENUE FUND	2,132,166	
FROM TRUST FUNDS		90,826
TOTAL POSITIONS	24.50	
TOTAL ALL FUNDS		2,222,992

CRIMINAL AND CIVIL LITIGATION DEFENSE

APPROVED SALARY RATE 18,812,404

1309 SALARIES AND BENEFITS POSITIONS	381.00	
FROM GENERAL REVENUE FUND	12,779,437	
FROM LEGAL SERVICES TRUST FUND		10,959,508
1310 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	113,332	
FROM LEGAL SERVICES TRUST FUND		2,082,216
1311 EXPENSES		
FROM GENERAL REVENUE FUND	1,431,072	
FROM LEGAL SERVICES TRUST FUND		2,291,860
1312 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	203,323	
FROM LEGAL SERVICES TRUST FUND		362,691
1313 LUMP SUM		
ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS		
POSITIONS	50.00	

The positions in Specific Appropriation 1313 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation. Rate may be established for these positions at an average of 30,000 per position. The rate must be placed in reserve pending transfer of positions.

1314 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	23,750	
FROM LEGAL SERVICES TRUST FUND		13,700
1315 SPECIAL CATEGORIES		
LITIGATION EXPENSES		
FROM LEGAL SERVICES TRUST FUND		46,500

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1316 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 78,904
FROM LEGAL SERVICES TRUST FUND 71,648

1317 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 77,919
FROM LEGAL SERVICES TRUST FUND 70,111

1318 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM LEGAL SERVICES TRUST FUND 30,972

TOTAL: CRIMINAL AND CIVIL LITIGATION DEFENSE
FROM GENERAL REVENUE FUND 14,707,737
FROM TRUST FUNDS 15,929,206

TOTAL POSITIONS 431.00
TOTAL ALL FUNDS 30,636,943

VICTIM SERVICES

APPROVED SALARY RATE 3,725,042

1319 SALARIES AND BENEFITS POSITIONS 89.00
FROM GENERAL REVENUE FUND 39,612
FROM CRIMES COMPENSATION TRUST FUND . . . 4,412,814
FROM CRIME STOPPERS TRUST FUND 43,661
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 299,158

1320 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 5,100
FROM CRIMES COMPENSATION TRUST FUND . . . 75,351
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 257,900

1321 EXPENSES
FROM GENERAL REVENUE FUND 2,055,788
FROM CRIMES COMPENSATION TRUST FUND . . . 766,763
FROM CRIME STOPPERS TRUST FUND 7,012
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 203,806

1322 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,380
FROM CRIMES COMPENSATION TRUST FUND . . . 123,407
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 7,695

1323 SPECIAL CATEGORIES
AWARDS TO CLAIMANTS
FROM CRIMES COMPENSATION TRUST FUND . . . 26,958,082

From the funds in Specific Appropriation 1323, the Attorney General is directed to give priority to the payment of claims for forensic examinations for victims of sexual assault.

1323A SPECIAL CATEGORIES
VICTIM SERVICES
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 1323A are provided to the Florida Council Against Sexual Violence for distribution to certified rape crisis centers to provide increased services statewide for victims of sexual assault.

1324 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 300,000

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FROM CRIMES COMPENSATION TRUST FUND . . . 10,500
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 5,600

From the funds in Specific Appropriation 1324, $150,000 in non-recurring general revenue is provided for the Women in Need Network in Marion County for statewide human trafficking training seminars.

From the funds in Specific Appropriation 1324, $150,000 in non-recurring general revenue is provided to the Florida Coalition Against Human Trafficking (FCAHT), Lee/Collier Program, to provide service provider trainings, public outreach and education, and for the rescue and case management of victims.

1325 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY COMMUNITIES
CRIME PREVENTION PROGRAMS
FROM GENERAL REVENUE FUND 4,929,163

1326 SPECIAL CATEGORIES
GRANTS AND AIDS - CRIME STOPPERS
FROM CRIME STOPPERS TRUST FUND 4,500,000

1327 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 413
FROM CRIMES COMPENSATION TRUST FUND . . . 31,571
FROM CRIME STOPPERS TRUST FUND 756
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 1,140

1328 SPECIAL CATEGORIES
GRANTS AND AIDS - VICTIM ASSISTANCE SERVICES
FROM CRIMES COMPENSATION TRUST FUND . . . 25,000,000

1329 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 297
FROM CRIMES COMPENSATION TRUST FUND . . . 33,429
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 2,266

TOTAL: VICTIM SERVICES
FROM GENERAL REVENUE FUND 8,332,753
FROM TRUST FUNDS 62,740,911

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 71,073,664

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,368,627

1330 SALARIES AND BENEFITS POSITIONS 137.50
FROM GENERAL REVENUE FUND 6,136,812
FROM ADMINISTRATIVE TRUST FUND 2,255,522

1331 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 522,000
FROM ADMINISTRATIVE TRUST FUND 166,904

From the funds provided in Specific Appropriations 1331 and 1332, $50,000 in non-recurring general revenue is provided to pay costs for temporary staffing and to provide for the reimbursement of travel, per diem and other expenses as necessary for the Council on the Social Status of Black Men and Boys.

1332 EXPENSES
FROM GENERAL REVENUE FUND 405,480
FROM ADMINISTRATIVE TRUST FUND 964,835

SECTION 4
SPECIFIC
APPROPRIATION

1333 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DADE COUNTY HAITIAN REFUGEE CENTER
FROM GENERAL REVENUE FUND 10,000

1334 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 101,958
FROM ADMINISTRATIVE TRUST FUND 476,801

1335 LUMP SUM
TRANSITION ASSISTANCE
FROM GENERAL REVENUE FUND 250,000

1336 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND 306,728

1337 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND 119,722

1338 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,024,500
FROM ADMINISTRATIVE TRUST FUND 12,000

From the funds provided in Specific Appropriation 1338, $500,000 in non-recurring general revenue is provided to raise public awareness of the Move Over Act, chapter 2002-217, Laws of Florida.

From the funds in Specific Appropriation 1338, $500,000 in non-recurring general revenue is provided to increase awareness of citizens' rights against improprieties by wrecker service companies.

1339 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,154
FROM ADMINISTRATIVE TRUST FUND 12,901

1340 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 41,739
FROM ADMINISTRATIVE TRUST FUND 15,514

1341 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 146,965
FROM ADMINISTRATIVE TRUST FUND 157,876

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 9,102,058
FROM TRUST FUNDS 4,062,353

TOTAL POSITIONS 137.50
TOTAL ALL FUNDS 13,164,411

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE 4,323,552

1342 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 5,014,002
FROM GRANTS AND DONATIONS TRUST FUND . . . 425,922

1343 SPECIAL CATEGORIES
STATEWIDE PROSECUTION
FROM GENERAL REVENUE FUND 911,471
FROM GRANTS AND DONATIONS TRUST FUND . . . 406,216

SECTION 4
SPECIFIC
APPROPRIATION

1344 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,410
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,891

1345 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,519
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,303

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME
FROM GENERAL REVENUE FUND 5,975,402
FROM TRUST FUNDS 836,332

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 6,811,734

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE 690,262

1346 SALARIES AND BENEFITS POSITIONS 14.00
FROM ELECTIONS COMMISSION TRUST FUND . . . 889,867

1347 OTHER PERSONAL SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 82,348

1348 EXPENSES
FROM ELECTIONS COMMISSION TRUST FUND . . . 230,773

1349 OPERATING CAPITAL OUTLAY
FROM ELECTIONS COMMISSION TRUST FUND . . . 10,000

1350 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ELECTIONS COMMISSION TRUST FUND . . . 47,881

1351 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 3,800

1352 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ELECTIONS COMMISSION TRUST FUND . . . 6,082

1353 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ELECTIONS COMMISSION TRUST FUND . . . 6,413

TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT
FROM TRUST FUNDS 1,277,164

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,277,164

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS

APPROVED SALARY RATE 5,917,143

1354 SALARIES AND BENEFITS POSITIONS 148.00
FROM GENERAL REVENUE FUND 7,658,976

SECTION 4
SPECIFIC
APPROPRIATION

1355 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 270,531

1356 EXPENSES
FROM GENERAL REVENUE FUND 1,153,116

From the funds in Specific Appropriation 1356, the Parole Commission shall conduct a study and provide the following to the Governor's Office of Policy and Budget, the President of the Senate and the Speaker of the House of Representatives by October 1, 2006:

1. A valid determination of the exact number of pending Restoration of Civil Rights (RCR) cases existing on July 1, 2006, along with a full explanation of the methodology used to determine the pending number of cases. Data must include total cases received for each of the past five years, the total number of cases processed for each of the past five years, and the total number of cases received or pending but not processed for each of the past five years;

2. A continuation plan including measures that continue to simplify application forms and processes by using readily available data from existing automated systems;

3. Identification of all existing resources, workload, job descriptions, and internal business procedures for clemency activities. This information must be reported in a manner that allows for isolation of resources allocated to the RCR process. The information must also be sufficient to account for each step in the 0.9 hour process to complete the review of RCR without a hearing; and

4. Proposed criteria, developed by case type, to use in defining and classifying case backlogs which shall be based upon a reasonable length of time for the normal processing of cases.

1357 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 79,930

1358 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 86,975

1359 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,821

1360 DATA PROCESSING SERVICES
LAW ENFORCEMENT DATA CENTER
FROM GENERAL REVENUE FUND 1,932

1361 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 317,924

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS
FROM GENERAL REVENUE FUND 9,631,205

TOTAL POSITIONS 148.00
TOTAL ALL FUNDS 9,631,205

TOTAL OF SECTION 4 POSITIONS 46,607.75

FROM GENERAL REVENUE FUND 3569,027,817

FROM TRUST FUNDS 599,001,717

TOTAL ALL FUNDS 4168,029,534

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The monies contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Community Affairs, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

SECTION 5
SPECIFIC
APPROPRIATION

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

APPROVED SALARY RATE 2,233,351

1362 SALARIES AND BENEFITS POSITIONS 40.50
FROM GENERAL REVENUE FUND 2,722,496
FROM CITRUS INSPECTION TRUST FUND 289,014
FROM GENERAL INSPECTION TRUST FUND 58,660

1363 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

1364 EXPENSES
FROM GENERAL REVENUE FUND 457,496
FROM CONTRACTS AND GRANTS TRUST FUND . . . 110,000
FROM GENERAL INSPECTION TRUST FUND 24,703

1365 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 481,627
FROM FEDERAL EQUITABLE SHARING TRUST FUND 849,930

1366 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,028

1367 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 43,214

1368 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 32,932
FROM AGRICULTURAL LAW ENFORCEMENT TRUST FUND 4,607
FROM GENERAL INSPECTION TRUST FUND 881

1369 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,444
FROM CITRUS INSPECTION TRUST FUND 1,533
FROM GENERAL INSPECTION TRUST FUND 311

TOTAL: AGRICULTURAL LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 3,775,237
FROM TRUST FUNDS 1,339,639

TOTAL POSITIONS 40.50
TOTAL ALL FUNDS 5,114,876

AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE 1,947,330

1370 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL INSPECTION TRUST FUND 2,310,814

1371 EXPENSES
FROM GENERAL INSPECTION TRUST FUND 364,039

SECTION 5
SPECIFIC
APPROPRIATION

1372 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOIL AND WATER COST SHARING PROGRAM
FROM GENERAL REVENUE FUND 500,000

1373 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL INSPECTION TRUST FUND 94,500

1374 SPECIAL CATEGORIES
ANIMAL WASTE MANAGEMENT
FROM GENERAL INSPECTION TRUST FUND 200,000

1375 SPECIAL CATEGORIES
WATER RESOURCES PROTECTION AND RESTORATION
FROM CONTRACTS AND GRANTS TRUST FUND . . . 1,620,520

1375A SPECIAL CATEGORIES
NITRATE RESEARCH AND REMEDIATION
FROM GENERAL INSPECTION TRUST FUND 930,000

1376 SPECIAL CATEGORIES
BEST MANAGEMENT PRACTICES - COST SHARE
FROM GENERAL INSPECTION TRUST FUND 18,185,289

1377 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND 14,830

TOTAL: AGRICULTURAL WATER POLICY COORDINATION
FROM GENERAL REVENUE FUND 500,000
FROM TRUST FUNDS 23,719,992

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 24,219,992

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,243,179

1378 SALARIES AND BENEFITS POSITIONS 192.75
FROM GENERAL REVENUE FUND 7,594,709
FROM ADMINISTRATIVE TRUST FUND 4,121,426
FROM CONTRACTS AND GRANTS TRUST FUND . . . 3,278
FROM GENERAL INSPECTION TRUST FUND 55,846

1379 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 73,463
FROM ADMINISTRATIVE TRUST FUND 160,352

1380 EXPENSES
FROM GENERAL REVENUE FUND 597,558
FROM ADMINISTRATIVE TRUST FUND 1,645,826
FROM GENERAL INSPECTION TRUST FUND 149,366

1381 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 14,458
FROM ADMINISTRATIVE TRUST FUND 134,500

1382 SPECIAL CATEGORIES
GRANTS AND AIDS - SMALL COUNTY TECHNICAL ASSISTANCE
FROM GENERAL REVENUE FUND 350,000

1382A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 206,411

1383 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 16,819
FROM ADMINISTRATIVE TRUST FUND 42,439

1384 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000
FROM ADMINISTRATIVE TRUST FUND 319,000

1385 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 135,302
FROM ADMINISTRATIVE TRUST FUND 132,831
FROM GENERAL INSPECTION TRUST FUND 23,640

1386 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 4,000

1387 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 50,443
FROM ADMINISTRATIVE TRUST FUND 27,374
FROM CONTRACTS AND GRANTS TRUST FUND . . . 22

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 9,044,163
FROM TRUST FUNDS 6,815,900

TOTAL POSITIONS 192.75
TOTAL ALL FUNDS 15,860,063

DIVISION OF LICENSING

APPROVED SALARY RATE 4,834,290

1391 SALARIES AND BENEFITS POSITIONS 139.00
FROM DIVISION OF LICENSING TRUST FUND . . 6,218,518

1392 OTHER PERSONAL SERVICES
FROM DIVISION OF LICENSING TRUST FUND . . 292,232

1393 EXPENSES
FROM DIVISION OF LICENSING TRUST FUND . . 5,454,651

1394 OPERATING CAPITAL OUTLAY
FROM DIVISION OF LICENSING TRUST FUND . . 197,427

1395 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM DIVISION OF LICENSING TRUST FUND . . 36,000

1396 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF LICENSING TRUST FUND . . 85,357

1397 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF LICENSING TRUST FUND . . 44,208

1398 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF LICENSING TRUST FUND . . 58,546

TOTAL: DIVISION OF LICENSING
FROM TRUST FUNDS 12,386,939

TOTAL POSITIONS 139.00
TOTAL ALL FUNDS 12,386,939

SECTION 5
SPECIFIC
APPROPRIATION
PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

APPROVED SALARY RATE 17,477,654

1399	SALARIES AND BENEFITS POSITIONS	506.00	
	FROM GENERAL REVENUE FUND	10,074,701	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		991,994
	FROM INCIDENTAL TRUST FUND		1,630,188
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		9,445,368
1400	OTHER PERSONAL SERVICES		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		658,654
	FROM INCIDENTAL TRUST FUND		375,769
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		800,000
1401	EXPENSES		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,851,313
	FROM INCIDENTAL TRUST FUND		2,580,410
	FROM RELOCATION AND CONSTRUCTION TRUST FUND		10,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		5,002,666
1402	AID TO LOCAL GOVERNMENTS AMERICA THE BEAUTIFUL PROGRAM		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,747,538
1403	AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION		
	FROM INCIDENTAL TRUST FUND		700,050
1404	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	13,825	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		164,150
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		300,000
1405	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM INCIDENTAL TRUST FUND		180,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,899,209
1406	SPECIAL CATEGORIES PRIVATE LAND OWNER COST SHARE ASSISTANCE PROGRAM		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		600,000
1406A	SPECIAL CATEGORIES OFF-HIGHWAY VEHICLE RECREATION PROGRAM		
	FROM INCIDENTAL TRUST FUND		700,000
1407	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		608,072
	FROM INCIDENTAL TRUST FUND		313,351
	FROM RELOCATION AND CONSTRUCTION TRUST FUND		140,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,450,000
1408	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	76,333	
	FROM INCIDENTAL TRUST FUND		21,445
1409	SPECIAL CATEGORIES INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM		
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,344,152
1411	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	95,359	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		9,521
	FROM INCIDENTAL TRUST FUND		16,293
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		92,009
1412	SPECIAL CATEGORIES GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		15,668,146
1412A	SPECIAL CATEGORIES GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		731,250
1413	FIXED CAPITAL OUTLAY LAND ACQUISITION		
	FROM FLORIDA FOREVER PROGRAM TRUST FUND .		4,500,000
1414A	FIXED CAPITAL OUTLAY ROAD IMPROVEMENTS - BLACKWATER RIVER STATE FOREST		
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		400,000
1415	FIXED CAPITAL OUTLAY LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		3,500,000
1416	FIXED CAPITAL OUTLAY FORESTRY LAND ACQUISITION - STATEWIDE		
	FROM INCIDENTAL TRUST FUND		110,000
TOTAL:	LAND MANAGEMENT		
	FROM GENERAL REVENUE FUND	10,260,218	
	FROM TRUST FUNDS		58,541,548
	TOTAL POSITIONS	506.00	
	TOTAL ALL FUNDS		68,801,766

WILDFIRE PREVENTION AND MANAGEMENT

APPROVED SALARY RATE 24,984,231

1417	SALARIES AND BENEFITS POSITIONS	769.50	
	FROM GENERAL REVENUE FUND	32,921,875	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,055,751
	FROM INCIDENTAL TRUST FUND		1,773,758
1418	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	576,742	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		277,349
	FROM INCIDENTAL TRUST FUND		120,000
1419	EXPENSES		
	FROM GENERAL REVENUE FUND	4,281,905	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,931,486
	FROM INCIDENTAL TRUST FUND		1,614,341
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,017,423
1420	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - VOLUNTEER FIRE		

SECTION 5
SPECIFIC
APPROPRIATION

ASSISTANCE
FROM CONTRACTS AND GRANTS TRUST FUND . . . 215,763

1421 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION
FROM CONTRACTS AND GRANTS TRUST FUND . . . 72,589

1422 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 74,425
FROM CONTRACTS AND GRANTS TRUST FUND . . . 562,425

1423 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONTRACTS AND GRANTS TRUST FUND . . . 108,000
FROM INCIDENTAL TRUST FUND 980,100

1424 SPECIAL CATEGORIES
FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT
FROM GENERAL REVENUE FUND 7,746,134
FROM CONTRACTS AND GRANTS TRUST FUND . . . 325,000
FROM INCIDENTAL TRUST FUND 2,601,541
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,500,000

1425 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 43,437
FROM CONTRACTS AND GRANTS TRUST FUND . . . 229,271
FROM INCIDENTAL TRUST FUND 82,128

1426 SPECIAL CATEGORIES
ON-CALL FEES
FROM GENERAL REVENUE FUND 333,296
FROM INCIDENTAL TRUST FUND 10,000

1427 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 686,992
FROM INCIDENTAL TRUST FUND 193,009

1428 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 290,230
FROM CONTRACTS AND GRANTS TRUST FUND . . . 9,288
FROM INCIDENTAL TRUST FUND 15,637

1429 SPECIAL CATEGORIES
GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS
FROM CONTRACTS AND GRANTS TRUST FUND . . . 3,537,597

1430 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM GENERAL REVENUE FUND 1,450,000

1430A FIXED CAPITAL OUTLAY
MAINTENANCE/REPAIRS/CONSTRUCTION - WILDFIRE TRAINING CENTER
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 250,000

1430B FIXED CAPITAL OUTLAY
REPLACE FORESTRY STATION AT FT. PIERCE WORK CENTER
FROM RELOCATION AND CONSTRUCTION TRUST FUND 325,000

SECTION 5
SPECIFIC
APPROPRIATION

1431 FIXED CAPITAL OUTLAY
RELOCATE WACCASASSA FORESTRY CENTER HEADQUARTERS - GAINESVILLE
FROM RELOCATION AND CONSTRUCTION TRUST FUND 400,000

1431A FIXED CAPITAL OUTLAY
GRANTS AND AIDS - 2005 HURRICANES - AGY MGD
FROM INCIDENTAL TRUST FUND 825,581

TOTAL: WILDFIRE PREVENTION AND MANAGEMENT
FROM GENERAL REVENUE FUND 48,405,036
FROM TRUST FUNDS 20,033,037

TOTAL POSITIONS 769.50
TOTAL ALL FUNDS 68,438,073

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,250,365

1432 SALARIES AND BENEFITS POSITIONS 45.00
FROM GENERAL REVENUE FUND 1,169,268
FROM GENERAL INSPECTION TRUST FUND 1,631,552

1433 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 150,000

1434 EXPENSES
FROM GENERAL REVENUE FUND 923,801
FROM DIVISION OF LICENSING TRUST FUND . . 116,125
FROM GENERAL INSPECTION TRUST FUND 2,285,501

1435 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 813,452
FROM GENERAL INSPECTION TRUST FUND 225,000

From the general revenue funds in Specific Appropriation 1435, $700,000 is for information technology infrastructure replacement. The department must prepare a detailed plan that identifies all desktops and laptops requiring upgrades or replacement, a full product and equipment specifications list and corresponding pricelist, and a timeline for completing the infrastructure replacement and upgrades. Prior to October 1, 2006, the plan shall be submitted for review by the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council, as well as the Executive Office of the Governor.

1435A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 48,762

1436 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 723,014
FROM GENERAL INSPECTION TRUST FUND 221,609

1437 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,816
FROM GENERAL INSPECTION TRUST FUND 10,907

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 3,836,113
FROM TRUST FUNDS 4,490,694

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 8,326,807

SECTION 5
SPECIFIC
APPROPRIATION
PROGRAM: FOOD SAFETY AND QUALITY

DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 984,006

1438	SALARIES AND BENEFITS POSITIONS	25.00	
	FROM GENERAL REVENUE FUND	1,348,470	
1439	EXPENSES		
	FROM GENERAL REVENUE FUND	231,892	
	FROM GENERAL INSPECTION TRUST FUND		20,274
1440	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	10,500	
1440A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	80,000	
1441	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	12,485	
1442	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	10,020	
TOTAL: DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT			
	FROM GENERAL REVENUE FUND	1,693,367	
	FROM TRUST FUNDS		20,274
	TOTAL POSITIONS	25.00	
	TOTAL ALL FUNDS		1,713,641

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 11,065,978

1443	SALARIES AND BENEFITS POSITIONS	290.00	
	FROM GENERAL REVENUE FUND	1,464,347	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		2,156,894
	FROM GENERAL INSPECTION TRUST FUND		10,658,152
1444	OTHER PERSONAL SERVICES		
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		440,941
	FROM GENERAL INSPECTION TRUST FUND		23,000
1445	EXPENSES		
	FROM GENERAL REVENUE FUND	372,143	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		826,644
	FROM GENERAL INSPECTION TRUST FUND		1,311,863
1446	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	52,488	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		243,375
	FROM GENERAL INSPECTION TRUST FUND		60,813
1447	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	283,931	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		56,700
1448	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	22,500	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		75,000
	FROM GENERAL INSPECTION TRUST FUND		77,500
1449	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	51,572	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		21,096
	FROM GENERAL INSPECTION TRUST FUND		60,913
1450	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	12,194	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		18,518
	FROM GENERAL INSPECTION TRUST FUND		88,245
TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT			
	FROM GENERAL REVENUE FUND	2,259,175	
	FROM TRUST FUNDS		16,119,654
	TOTAL POSITIONS	290.00	
	TOTAL ALL FUNDS		18,378,829

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE 8,458,209

1451	SALARIES AND BENEFITS POSITIONS	220.00	
	FROM GENERAL REVENUE FUND	3,080,565	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		293,620
	FROM GENERAL INSPECTION TRUST FUND		5,166,094
	FROM PEST CONTROL TRUST FUND		2,576,566
1452	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	3,500	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		193,907
	FROM PEST CONTROL TRUST FUND		21,530
1453	EXPENSES		
	FROM GENERAL REVENUE FUND	869,563	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		608,037
	FROM GENERAL INSPECTION TRUST FUND		697,909
	FROM PEST CONTROL TRUST FUND		411,870
1454	AID TO LOCAL GOVERNMENTS		
	MOSQUITO CONTROL PROGRAM		
	FROM GENERAL INSPECTION TRUST FUND		2,710,000

From the funds provided in Specific Appropriation 1454, $250,000 from the General Inspection Trust Fund shall be used for research into practical methods of control to be used by local mosquito control agencies. The research shall be conducted by the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory and the Florida Agriculture and Mechanical University (FAMU)/Mulrennan Research Laboratory.

From the funds provided in Specific Appropriation 1454, $550,000 is provided for mosquito inspection, aerial spraying and spraying storm drains to control mosquito breeding in Miami-Dade County.

1455	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	25,252	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		92,900
1456	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	156,720	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		132,300
	FROM GENERAL INSPECTION TRUST FUND		1,345,680
1457	SPECIAL CATEGORIES		
	PESTICIDE COLLECTIONS		
	FROM GENERAL INSPECTION TRUST FUND		100,000

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1458 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	134,851	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		210,426
FROM GENERAL INSPECTION TRUST FUND		129,045
FROM PEST CONTROL TRUST FUND		36,425
1459 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	49,271	
1460 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	24,862	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		2,748
FROM GENERAL INSPECTION TRUST FUND		41,823
FROM PEST CONTROL TRUST FUND		20,636
TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES		
FROM GENERAL REVENUE FUND	4,344,584	
FROM TRUST FUNDS		14,791,516
TOTAL POSITIONS	220.00	
TOTAL ALL FUNDS		19,136,100

CONSUMER PROTECTION

APPROVED SALARY RATE 4,349,526

1461 SALARIES AND BENEFITS POSITIONS	126.00	
FROM GENERAL REVENUE FUND	584,850	
FROM GENERAL INSPECTION TRUST FUND		4,873,689
1462 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,216	
FROM GENERAL INSPECTION TRUST FUND		38,513
1463 EXPENSES		
FROM GENERAL REVENUE FUND	97,177	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		8,518
FROM GENERAL INSPECTION TRUST FUND		1,023,332
1463A OPERATING CAPITAL OUTLAY		
FROM GENERAL INSPECTION TRUST FUND		1,900
1464 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	12,142	
FROM GENERAL INSPECTION TRUST FUND		20,500
1465 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	31,080	
1466 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,494	
FROM GENERAL INSPECTION TRUST FUND		45,786
TOTAL: CONSUMER PROTECTION		
FROM GENERAL REVENUE FUND	742,959	
FROM TRUST FUNDS		6,012,238
TOTAL POSITIONS	126.00	
TOTAL ALL FUNDS		6,755,197

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STANDARDS AND PETROLEUM QUALITY INSPECTION

APPROVED SALARY RATE 6,498,983

1467 SALARIES AND BENEFITS POSITIONS	188.00	
FROM GENERAL REVENUE FUND	1,781,375	
FROM GENERAL INSPECTION TRUST FUND		6,776,482
1468 OTHER PERSONAL SERVICES		
FROM GENERAL INSPECTION TRUST FUND		59,572
1469 EXPENSES		
FROM GENERAL REVENUE FUND	273,915	
FROM GENERAL INSPECTION TRUST FUND		1,813,885
1470 OPERATING CAPITAL OUTLAY		
FROM GENERAL INSPECTION TRUST FUND		81,750
1471 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	150,000	
FROM GENERAL INSPECTION TRUST FUND		340,435
1472 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL INSPECTION TRUST FUND		100,000
1473 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	9,178	
FROM GENERAL INSPECTION TRUST FUND		86,739
1474 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	15,788	
FROM GENERAL INSPECTION TRUST FUND		60,060
1474A FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - 2005 HURRICANES - AGY MGD		
FROM GENERAL INSPECTION TRUST FUND		385,000
TOTAL: STANDARDS AND PETROLEUM QUALITY INSPECTION		
FROM GENERAL REVENUE FUND	2,230,256	
FROM TRUST FUNDS		9,703,923
TOTAL POSITIONS	188.00	
TOTAL ALL FUNDS		11,934,179

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 7,332,139

1475 SALARIES AND BENEFITS POSITIONS	222.00	
FROM CITRUS INSPECTION TRUST FUND		7,137,780
FROM GENERAL INSPECTION TRUST FUND		2,537,567
1476 OTHER PERSONAL SERVICES		
FROM CITRUS INSPECTION TRUST FUND		678,425
FROM GENERAL INSPECTION TRUST FUND		500,000
1477 EXPENSES		
FROM CITRUS INSPECTION TRUST FUND		1,098,923
FROM GENERAL INSPECTION TRUST FUND		429,681
1478 OPERATING CAPITAL OUTLAY		
FROM CITRUS INSPECTION TRUST FUND		33,710

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1479 SPECIAL CATEGORIES
AUTOMATED TESTING EQUIPMENT
FROM CITRUS INSPECTION TRUST FUND 216,041

1480 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS INSPECTION TRUST FUND 68,428
FROM GENERAL INSPECTION TRUST FUND 19,462

1481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS INSPECTION TRUST FUND 343,708
FROM GENERAL INSPECTION TRUST FUND 39,791

1482 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS INSPECTION TRUST FUND 89,512
FROM GENERAL INSPECTION TRUST FUND 27,514

1482A FIXED CAPITAL OUTLAY
GRANTS AND AIDS - 2005 HURRICANES - AGY MGD
FROM GENERAL INSPECTION TRUST FUND 57,259

TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS 13,277,801

TOTAL POSITIONS 222.00
TOTAL ALL FUNDS 13,277,801

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 6,840,558

1483 SALARIES AND BENEFITS POSITIONS 195.00
FROM GENERAL REVENUE FUND 2,902,111
FROM CITRUS INSPECTION TRUST FUND 1,249,938
FROM CONTRACTS AND GRANTS TRUST FUND . . . 372,111
FROM GENERAL INSPECTION TRUST FUND 1,335,070
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 2,334,831
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 790,159
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND 39,702

1484 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000
FROM CITRUS INSPECTION TRUST FUND 222,672
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 27,500

1485 EXPENSES
FROM GENERAL REVENUE FUND 691,049
FROM CITRUS INSPECTION TRUST FUND 300,951
FROM CONTRACTS AND GRANTS TRUST FUND . . . 1,907,350
FROM GENERAL INSPECTION TRUST FUND 959,105
FROM MARKET TRADE SHOW TRUST FUND 180,711
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 786,390
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 302,356
FROM VITICULTURE TRUST FUND 7,832
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND 126,691

1486 OPERATING CAPITAL OUTLAY
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 10,500

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1487 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 297,654
FROM CONTRACTS AND GRANTS TRUST FUND . . . 37,680
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 18,900
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 32,662

1488 SPECIAL CATEGORIES
GRANTS AND AIDS - VITICULTURE PROGRAM
FROM VITICULTURE TRUST FUND 425,000

1489 SPECIAL CATEGORIES
FLORIDA AGRICULTURE PROMOTION CAMPAIGN
FROM GENERAL REVENUE FUND 4,071,267

1490 SPECIAL CATEGORIES
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS
FROM CONTRACTS AND GRANTS TRUST FUND . . . 1,000,000

1490A SPECIAL CATEGORIES
SUPPORT FOR FOOD BANK
FROM GENERAL REVENUE FUND 1,050,000

From the funds in Specific Appropriation 1490A, $500,000 is provided for the Florida Association of Food Banks.

1490B SPECIAL CATEGORIES
GRANTS AND AIDS - AGRICULTURAL PRODUCTS MARKETING
FROM GENERAL REVENUE FUND 50,000

1491 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONTRACTS AND GRANTS TRUST FUND . . . 27,500
FROM GENERAL INSPECTION TRUST FUND 3,800
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 8,600

1492 SPECIAL CATEGORIES
GRANTS AND AIDS - MARKETING ORDERS
FROM CITRUS INSPECTION TRUST FUND 2,383,077
FROM GENERAL INSPECTION TRUST FUND 712,000

1493 SPECIAL CATEGORIES
FARM SHARE PROGRAM
FROM GENERAL REVENUE FUND 500,000

1494 SPECIAL CATEGORIES
GRANTS AND AIDS - PROMOTIONAL AWARDS
FROM GENERAL INSPECTION TRUST FUND 300,000

1495 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS
FROM CONTRACTS AND GRANTS TRUST FUND . . . 1,864,640

1496 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 22,604
FROM CITRUS INSPECTION TRUST FUND 7,279
FROM CONTRACTS AND GRANTS TRUST FUND . . . 6,520
FROM GENERAL INSPECTION TRUST FUND 11,922
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 26,804
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 7,407

1497 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES

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PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	25,375	
FROM CITRUS INSPECTION TRUST FUND		10,929
FROM CONTRACTS AND GRANTS TRUST FUND . . .		3,254
FROM GENERAL INSPECTION TRUST FUND		11,682
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		20,415
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		6,909
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND		347
1498A FIXED CAPITAL OUTLAY		
FLORIDA HORSE PARK AND AGRICULTURAL CENTER		
FROM GENERAL REVENUE FUND	2,000,000	
1499A FIXED CAPITAL OUTLAY		
REPAIRS AND RENOVATIONS - STATE FARMERS' MARKET - DMS MGD		
FROM GENERAL REVENUE FUND	2,320,000	
1499B FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - 2005 HURRICANES - AGY MGD		
FROM GENERAL INSPECTION TRUST FUND		11,047,580
1499C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
AGRICULTURAL PROMOTION AND EDUCATION FACILITIES		
FROM GENERAL REVENUE FUND	2,100,000	

Funds in Specific Appropriation 1499C are provided for the following Agriculture Promotion and Education Facilities:

Florida FFA Foundation Leadership Training Education Center Facilities.....	500,000
Marion County Agriculture & Civic Center Master Plan.....	250,000
Orange County Cooperative Extension Education Center.....	1,000,000
South Florida Fair Agriplex - Small Animal Shelter (Palm Beach County).....	300,000
Walton County Fair.....	50,000

TOTAL: AGRICULTURAL PRODUCTS MARKETING		
FROM GENERAL REVENUE FUND	16,045,060	
FROM TRUST FUNDS		28,928,776
TOTAL POSITIONS	195.00	
TOTAL ALL FUNDS		44,973,836

AQUACULTURE

APPROVED SALARY RATE 2,049,229

1500 SALARIES AND BENEFITS POSITIONS	52.50	
FROM GENERAL REVENUE FUND	2,114,491	
FROM GENERAL INSPECTION TRUST FUND		591,457
1501 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	30,000	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		16,700
FROM GENERAL INSPECTION TRUST FUND		39,000
1502 EXPENSES		
FROM GENERAL REVENUE FUND	484,674	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		9,000
FROM GENERAL INSPECTION TRUST FUND		362,213
1503 OPERATING CAPITAL OUTLAY		
FROM GENERAL INSPECTION TRUST FUND		50,400
1503A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL INSPECTION TRUST FUND		205,702

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1503B SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM GENERAL REVENUE FUND	207,600	
1504 SPECIAL CATEGORIES		
OYSTER PLANTING		
FROM GENERAL REVENUE FUND	875,040	
1505 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	44,368	
FROM GENERAL INSPECTION TRUST FUND		6,517
1506 SPECIAL CATEGORIES		
AQUACULTURE DEVELOPMENT		
FROM GENERAL REVENUE FUND	2,774,101	

From the funds in Specific Appropriation 1506, $1,152,841 is provided to fund, in accordance with section 597.005(3)(c), Florida Statutes, the Florida Aquaculture Review Council's list of priority projects dated June 13, 2005, as included in the Department of Agriculture and Consumer Services' Legislative Budget Request.

1507 SPECIAL CATEGORIES		
AQUACULTURE PROGRAM GRANTS		
FROM CONTRACTS AND GRANTS TRUST FUND . . .		350,000
1508 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	17,006	
FROM GENERAL INSPECTION TRUST FUND		4,757
1508A SPECIAL CATEGORIES		
GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS		
FROM CONTRACTS AND GRANTS TRUST FUND . . .		458,000
TOTAL: AQUACULTURE		
FROM GENERAL REVENUE FUND	6,547,280	
FROM TRUST FUNDS		2,093,746
TOTAL POSITIONS	52.50	
TOTAL ALL FUNDS		8,641,026

AGRICULTURAL INTERDICTION STATIONS

APPROVED SALARY RATE 9,617,048

1509 SALARIES AND BENEFITS POSITIONS	241.00	
FROM GENERAL REVENUE FUND	13,014,063	
FROM GENERAL INSPECTION TRUST FUND		116,171
1510 EXPENSES		
FROM GENERAL REVENUE FUND	671,289	
FROM CITRUS INSPECTION TRUST FUND		26,589
FROM GENERAL INSPECTION TRUST FUND		42,393
1511 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,990	
1512 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	930,000	
FROM FEDERAL EQUITABLE SHARING TRUST FUND		150,000
1513 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	223,380	

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1514 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	63,896	
1515 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	78,015	
FROM AGRICULTURAL LAW ENFORCEMENT TRUST FUND		18,428
1516 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	95,213	
FROM GENERAL INSPECTION TRUST FUND		578
1517 FIXED CAPITAL OUTLAY RENOVATE AGRICULTURAL INSPECTIONS STATIONS - STATEWIDE FROM GENERAL REVENUE FUND	250,000	
1517A FIXED CAPITAL OUTLAY REPLACE AGRICUTURAL INSPECTION STATIONS FROM GENERAL REVENUE FUND	500,000	
1518 FIXED CAPITAL OUTLAY CONSTRUCTION OF CANOPIES AT AGRICULTURAL INSPECTION STATIONS FROM FEDERAL EQUITABLE SHARING TRUST FUND		180,000
1518A FIXED CAPITAL OUTLAY AGRICULTURAL LAW ENFORCEMENT INTERSTATE RAMP RENOVATIONS FROM GENERAL REVENUE FUND	1,800,000	
TOTAL: AGRICULTURAL INTERDICTION STATIONS FROM GENERAL REVENUE FUND	17,648,846	
FROM TRUST FUNDS		534,159
TOTAL POSITIONS	241.00	
TOTAL ALL FUNDS		18,183,005
ANIMAL PEST AND DISEASE CONTROL		
APPROVED SALARY RATE 5,938,782		
1519 SALARIES AND BENEFITS POSITIONS	151.50	
FROM GENERAL REVENUE FUND	6,761,871	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		360,420
FROM GENERAL INSPECTION TRUST FUND		462,980
1520 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	11,866	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		395,703
1521 EXPENSES FROM GENERAL REVENUE FUND	585,317	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		967,670
FROM GENERAL INSPECTION TRUST FUND		354,123
1522 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	203,797	
1522A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	513,500	
1523 SPECIAL CATEGORIES ANIMAL PEST AND DISEASE CONTROL FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,700,000

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1524 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL INSPECTION TRUST FUND		288,984
1525 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	78,563	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		28
1526 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	54,850	
FROM CONTRACTS AND GRANTS TRUST FUND . . .		2,924
FROM GENERAL INSPECTION TRUST FUND		3,756
1528 FIXED CAPITAL OUTLAY CONSTRUCTION - ADDITIONS KISSIMMEE DIAGNOSTIC LAB FROM GENERAL REVENUE FUND	400,000	
TOTAL: ANIMAL PEST AND DISEASE CONTROL FROM GENERAL REVENUE FUND	8,609,764	
FROM TRUST FUNDS		4,536,588
TOTAL POSITIONS	151.50	
TOTAL ALL FUNDS		13,146,352
PLANT PEST AND DISEASE CONTROL		
APPROVED SALARY RATE 12,924,622		
1530 SALARIES AND BENEFITS POSITIONS	367.00	
FROM GENERAL REVENUE FUND	11,109,570	
FROM CITRUS INSPECTION TRUST FUND		589,361
FROM CONTRACTS AND GRANTS TRUST FUND . . .		2,820,513
FROM PLANT INDUSTRY TRUST FUND		2,566,726
1531 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	647,017	
FROM CITRUS INSPECTION TRUST FUND		1,000
FROM CONTRACTS AND GRANTS TRUST FUND . . .		586,568
FROM PLANT INDUSTRY TRUST FUND		808,560
1532 EXPENSES FROM GENERAL REVENUE FUND	1,171,978	
FROM CITRUS INSPECTION TRUST FUND		86,720
FROM CONTRACTS AND GRANTS TRUST FUND . . .		389,177
AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		23,962
FROM PLANT INDUSTRY TRUST FUND		795,300
1533 OPERATING CAPITAL OUTLAY FROM CONTRACTS AND GRANTS TRUST FUND . . .		60,195
FROM PLANT INDUSTRY TRUST FUND		51,525
1533A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	432,645	
1534 SPECIAL CATEGORIES AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM) FROM GENERAL REVENUE FUND	1,000,000	
1535 SPECIAL CATEGORIES GRANTS AND AIDS - BOLL WEEVIL ERADICATION FROM PLANT INDUSTRY TRUST FUND		560,000
1535A SPECIAL CATEGORIES TROPICAL SODA APPLE CONTROL FROM GENERAL REVENUE FUND	75,000	

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1536	SPECIAL CATEGORIES APIARIAN INDEMNITIES FROM GENERAL REVENUE FUND	36,000	
1537	SPECIAL CATEGORIES ENDANGERED PLANT SPECIES FROM PLANT INDUSTRY TRUST FUND		250,000
1537A	SPECIAL CATEGORIES PLANT, PEST AND DISEASE MONITORING AND CONTROL PROGRAM FROM PLANT INDUSTRY TRUST FUND		300,000
1540	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	3,420	
	FROM PLANT INDUSTRY TRUST FUND		9,440
1541	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,364,889	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		405,583
	FROM PLANT INDUSTRY TRUST FUND		42,940
1542	SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF FLORIDA/ INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY FROM PLANT INDUSTRY TRUST FUND		750,000
1542A	SPECIAL CATEGORIES CITRUS CANKER TREE COMPENSATION PROGRAM FROM GENERAL REVENUE FUND	1,100,000	
1542B	SPECIAL CATEGORIES TREE REPLACEMENT PROGRAM FOR CITRUS CANKER FROM GENERAL REVENUE FUND	2,400,000	
1543	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	186,382	
	FROM CITRUS INSPECTION TRUST FUND		12,732
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		47,319
	FROM PLANT INDUSTRY TRUST FUND		43,061
1544	FIXED CAPITAL OUTLAY LAND ACQUISITION - WINTER HAVEN - POLK COUNTY FROM GENERAL REVENUE FUND	140,000	
1545	FIXED CAPITAL OUTLAY REROOF COWPERTHWAITE BUILDING - WINTER HAVEN FROM GENERAL REVENUE FUND	306,350	
1546A	FIXED CAPITAL OUTLAY RELOCATION, REPAIR AND RENOVATION OF CITRUS BUDWOOD FACILITIES - STATEWIDE FROM CONTRACTS AND GRANTS TRUST FUND . . .		2,594,690
TOTAL:	PLANT PEST AND DISEASE CONTROL FROM GENERAL REVENUE FUND	19,973,251	
	FROM TRUST FUNDS		13,795,372
	TOTAL POSITIONS	367.00	
	TOTAL ALL FUNDS		33,768,623

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COMMUNITY AFFAIRS, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,123,472

1547	SALARIES AND BENEFITS POSITIONS	89.00	
	FROM GENERAL REVENUE FUND	1,819,674	
	FROM ADMINISTRATIVE TRUST FUND		3,404,017
	FROM GRANTS AND DONATIONS TRUST FUND . . .		149,577
1548	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		380,039
1549	EXPENSES FROM GENERAL REVENUE FUND	41,795	
	FROM ADMINISTRATIVE TRUST FUND		1,039,132
	FROM GRANTS AND DONATIONS TRUST FUND . . .		18,171
1550	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		93,608
1551	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	396,795	
1552	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND		811
1553	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	6,119	
	FROM ADMINISTRATIVE TRUST FUND		8,193
	FROM GRANTS AND DONATIONS TRUST FUND . . .		154
1554	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	15,139	
	FROM ADMINISTRATIVE TRUST FUND		19,638
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,024
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	2,279,522	
	FROM TRUST FUNDS		5,114,364
	TOTAL POSITIONS	89.00	
	TOTAL ALL FUNDS		7,393,886

PROGRAM: COMMUNITY PLANNING

COMMUNITY PLANNING

APPROVED SALARY RATE 2,821,820

1555	SALARIES AND BENEFITS POSITIONS	65.00	
	FROM GENERAL REVENUE FUND	3,687,234	
1556	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	243,650	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		200,000
1557	EXPENSES FROM GENERAL REVENUE FUND	697,001	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		40,000
1558	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,500	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		500

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1559 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 380

1560 SPECIAL CATEGORIES
CENTURY COMMISSION
FROM GRANTS AND DONATIONS TRUST FUND . . . 550,000

From the funds in Specific Appropriation 1560, $250,000 in recurring and $300,000 in non-recurring funds in the Grants and Donations Trust Fund is provided for the Century Commission for a Sustainable Florida, provided that no substantive legislation becomes law for Fiscal Year 2006-2007 which provides an appropriation for this purpose. These funds are also contingent upon and limited to the availability of funds in the Grants and Donations Trust Fund that were specifically transferred into the trust fund by law for the Century Commission.

1561 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PLANNING
COUNCILS
FROM GENERAL REVENUE FUND 3,300,000

Funds in Specific Appropriation 1561 are provided to the Regional Planning Councils, 70 percent of which must be divided equally among the councils and 30 percent of which must be allocated according to population. The funds shall be used to prepare and implement strategic regional policy plans, perform regional review and comment functions, and assist local governments in addressing problems of greater-than-local significance.

1563 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,706
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,680

1564 SPECIAL CATEGORIES
GRANTS AND AIDS - COASTAL MANAGEMENT
REQUIREMENTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,000

1565 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,630

1566 SPECIAL CATEGORIES
GRANTS AND AIDS - TECHNICAL AND PLANNING
ASSISTANCE
FROM GENERAL REVENUE FUND 1,450,000
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 1,600,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000,000

From the funds in Specific Appropriation 1566, $1,000,000 in non-recurring general revenue is provided for the Committee for a Sustainable Emerald Coast to build consensus on guidelines, recommendations, tools and actions that will seek to improve the quality of life, the man-made environment, the natural environment and the economy for the Emerald Coast Region.

TOTAL: COMMUNITY PLANNING
FROM GENERAL REVENUE FUND 9,422,101
FROM TRUST FUNDS 5,481,180

TOTAL POSITIONS 65.00
TOTAL ALL FUNDS 14,903,281

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PROGRAM: EMERGENCY MANAGEMENT

PRE-DISASTER MITIGATION

APPROVED SALARY RATE 420,369

1567 SALARIES AND BENEFITS POSITIONS 9.00
FROM GENERAL REVENUE FUND 71,895
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 59,810
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,361
FROM OPERATING TRUST FUND 3,738
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 402,555

1568 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 4,332

1569 EXPENSES
FROM GENERAL REVENUE FUND 15,253
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 11,006
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,367
FROM OPERATING TRUST FUND 4,718
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 51,245

1570 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 8,900,000

Funds in Specific Appropriation 1570 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

1571 SPECIAL CATEGORIES
FLOOD MITIGATION ASSISTANCE PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 4,600,883

1572 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 496
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 413
FROM GRANTS AND DONATIONS TRUST FUND . . . 37
FROM OPERATING TRUST FUND 26
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 2,779

TOTAL: PRE-DISASTER MITIGATION
FROM GENERAL REVENUE FUND 87,644
FROM TRUST FUNDS 14,054,270

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 14,141,914

EMERGENCY PLANNING

APPROVED SALARY RATE 2,005,448

1573 SALARIES AND BENEFITS POSITIONS 51.00
FROM GENERAL REVENUE FUND 579,597
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 551,784
FROM GRANTS AND DONATIONS TRUST FUND . . . 605,202
FROM OPERATING TRUST FUND 113,125
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 688,624

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1574 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 365,331
FROM GRANTS AND DONATIONS TRUST FUND . . . 65,000
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 645,000

1575 EXPENSES
FROM GENERAL REVENUE FUND 78,771
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 208,736
FROM GRANTS AND DONATIONS TRUST FUND . . . 240,872
FROM OPERATING TRUST FUND 12,486
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 351,475

1576 AID TO LOCAL GOVERNMENTS
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,389,944

1577 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 35,000

1578 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 55,000

1579 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,130,000
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 3,322

The non-recurring general revenue funds in Specific Appropriation 1579 shall be allocated as follows:

EOC Automation Project - City of Pompano Beach - Broward Co. 50,000
Town of Davie Portable Generator - Broward County..... 50,000
West Miami Hurricane Shelter Provisions..... 50,000
Town Of Southwest Ranches - SW Ranches Emergency Response Vehicle - Broward County..... 200,000
Volunteer Firefighter Safety Equipment - Hamilton County.... 55,000
Education and Training Of Emergency Care Providers - Emergency Medicine Learning & Resource Center - Orlando. 500,000
Water Plant/Homeland Security - City Of North Lauderdale.... 200,000
Miami Springs Senior Center..... 25,000

1580 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 7,089,061
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 83,438

1581 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,132
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 620,506

1582 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE, LOCAL AND PRIVATE PROJECTS
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,320,866

1583 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

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FROM GENERAL REVENUE FUND 36,821
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 35,582

1584 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 589,849
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,417,561

1586 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,540
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 5,381
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,902
FROM OPERATING TRUST FUND 1,103
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 6,715

1587 SPECIAL CATEGORIES
HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1588 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL EMERGENCY MANAGEMENT NEEDS
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000,000

Funds in Specific Appropriation 1588 from the Grants and Donations Trust Fund reflect the transfer of $3,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

1589A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL EMERGENCY MANAGEMENT FACILITIES
FROM GENERAL REVENUE FUND 21,708,145
FROM U.S. CONTRIBUTIONS TRUST FUND 2,307,675

General Revenue Funds in Specific Appropriation 1589A shall be allocated as follows:

JAFCO Emergency Hurricane Shelter for Developmentally Disabled Children - City of Sunrise - Broward County.... 950,000
Hurricane Damage Deductibles - The Grove Counseling Center - Seminole County..... 75,000
Fire Department Storm Shutters & Generator - Nassau County..... 47,500
Regional Hurricane Shelter Pilot - Pasco County..... 5,348,575
Emergency Operations Center - St. Lucie County..... 6,000,000
Special Needs Shelter - St. Lucie County..... 1,800,000
Citrus County Sheriff's Emergency Operation Center..... 2,500,000
Arcadia Public Facilities Building - Desoto County..... 100,000
Additional Funding for New Fire Station #8 - City Of Hialeah..... 200,000
Lake County Emergency Operations Center Funding..... 1,000,000
Brevard County Emergency Operations Center..... 500,000
Hurricane Disaster Plan - Pinellas County..... 187,070
Training Tower & Burn Building - Okaloosa County..... 350,000
Escambia County McDavid Community Center/Shelter..... 250,000
University of Miami - Disaster & Terrorism Response Center.. 2,000,000
City of Midway Fire Fighter Training Facility - Gadsden County..... 400,000

Funds in Specific Appropriation 1589A from U.S. Contributions Trust Fund are for the Regional Hurricane Shelter Pilot in Pasco County, and

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are provided for structural improvements that may be made with federal funds available for hazard mitigation towards meeting the requirements of ARC 4496, Guidelines for Hurricane Evacuation Shelter Selection.

TOTAL: EMERGENCY PLANNING
FROM GENERAL REVENUE FUND 23,537,874
FROM TRUST FUNDS 24,315,672

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 47,853,546

EMERGENCY RECOVERY

APPROVED SALARY RATE 1,647,663

1591 SALARIES AND BENEFITS POSITIONS 39.00
FROM GENERAL REVENUE FUND 159,362
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 348,557
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,770
FROM OPERATING TRUST FUND 3,684
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 349,531
FROM U.S. CONTRIBUTIONS TRUST FUND 988,566

1592 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,331
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,100

1593 EXPENSES
FROM GENERAL REVENUE FUND 18,000
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 15,634
FROM GRANTS AND DONATIONS TRUST FUND . . . 24,723
FROM OPERATING TRUST FUND 4,670
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 41,119
FROM U.S. CONTRIBUTIONS TRUST FUND 46,487

1594 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,694,075
FROM U.S. CONTRIBUTIONS TRUST FUND 30,481,408

1595 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,739,066
FROM U.S. CONTRIBUTIONS TRUST FUND 8,023,514

1596 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 17,570,640
FROM U.S. CONTRIBUTIONS TRUST FUND 304,694,671

1597 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 80,180,375

1598 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 845,957
FROM U.S. CONTRIBUTIONS TRUST FUND 5,054,448

1599 SPECIAL CATEGORIES
HAZARD MITIGATION - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 59,730
FROM U.S. CONTRIBUTIONS TRUST FUND 317,677

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1600 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,459,993
FROM U.S. CONTRIBUTIONS TRUST FUND 50,545,756

1601 SPECIAL CATEGORIES
HAZARD MITIGATION - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 674
FROM U.S. CONTRIBUTIONS TRUST FUND 25,616,563

Funds in Specific Appropriations 1598 through 1601 from the Grants and Donations Trust Fund are provided to meet the state portion of the match requirements for federally declared disasters that occurred prior to 2004. Funds shall be utilized for Public Assistance and Hazard Mitigation Programs as specified in section 252.37, Florida Statutes.

1602 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 404,319
FROM U.S. CONTRIBUTIONS TRUST FUND 1,699,456

1603 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 13,900,000

1605 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,921,764

Funds in Specific Appropriation 1591 in the amount of $61,609; 1592 in the amount of $1,100; 1593 in the amount of $15,527; and 1605 in the amount of $6,921,764, provided from the Grants and Donations Trust Fund, reflect the transfer of $7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes. These funds shall be utilized for Hurricane Loss Mitigation programs as specified in section 215.559(2)(a), Florida Statutes. The moneys allocated in section 215.559(4), Florida Statutes, shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(4), Florida Statutes.

1606 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,766
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 5,799
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,382
FROM OPERATING TRUST FUND 61
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 5,815
FROM U.S. CONTRIBUTIONS TRUST FUND 12,427

1607 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER ACTIVITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,975,402

1607A SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANES 05 - OTHER NEEDS ASSISTANCE PROGRAM (ONA)
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,220,899

1608 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,463,129
FROM U.S. CONTRIBUTIONS TRUST FUND 18,723,032

1609 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS

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THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,926,515
FROM U.S. CONTRIBUTIONS TRUST FUND 398,696,834

TOTAL: EMERGENCY RECOVERY
FROM GENERAL REVENUE FUND 181,128
FROM TRUST FUNDS 1062,320,553

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 1062,501,681

EMERGENCY RESPONSE

APPROVED SALARY RATE 665,721

1610 SALARIES AND BENEFITS POSITIONS 18.00
FROM GENERAL REVENUE FUND 408,503
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 117,280
FROM GRANTS AND DONATIONS TRUST FUND . . . 85,583
FROM OPERATING TRUST FUND 76,737
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 294,431

1611 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,331

1612 EXPENSES
FROM GENERAL REVENUE FUND 11,971
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 81,782
FROM GRANTS AND DONATIONS TRUST FUND . . . 48,231
FROM OPERATING TRUST FUND 13,975
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 228,996

1613 OPERATING CAPITAL OUTLAY
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,872
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,196
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 6,352

1614 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 65,000

1615 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 32,940
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 32,768

1616 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,192
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 822
FROM GRANTS AND DONATIONS TRUST FUND . . . 600
FROM OPERATING TRUST FUND 538
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,063

1616A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS & AID RETROFITTING FUELING STATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000,000

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Funds in Specific Appropriation 1616A are for establishing and administering a grant program for aiding fuel distributors in retrofitting facilities to accommodate portable generators in preparation for major power outages. This appropriation is contingent upon the transfer of funds appropriated in the Department of Environmental Protection in Specific Appropriation 1857A.

TOTAL: EMERGENCY RESPONSE
FROM GENERAL REVENUE FUND 456,606
FROM TRUST FUNDS 6,064,557

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 6,521,163

HAZARDOUS MATERIALS COMPLIANCE PLANNING

APPROVED SALARY RATE 880,739

1617 SALARIES AND BENEFITS POSITIONS 21.00
FROM GENERAL REVENUE FUND 96,819
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 63,594
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,122
FROM OPERATING TRUST FUND 895,456
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 53,053

1618 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 29,749

1619 EXPENSES
FROM GENERAL REVENUE FUND 14,668
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 12,977
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,645
FROM OPERATING TRUST FUND 278,287
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 19,841

1620 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 4,652

1621 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 742
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 487
FROM GRANTS AND DONATIONS TRUST FUND . . . 55
FROM OPERATING TRUST FUND 6,860
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 406

1622 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM
FROM OPERATING TRUST FUND 1,335,000

TOTAL: HAZARDOUS MATERIALS COMPLIANCE PLANNING
FROM GENERAL REVENUE FUND 112,229
FROM TRUST FUNDS 2,723,184

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,835,413

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PROGRAM: HOUSING AND COMMUNITY DEVELOPMENT

AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT

APPROVED SALARY RATE 1,146,541

1623	SALARIES AND BENEFITS POSITIONS 25.00		
	FROM GENERAL REVENUE FUND	707,802	
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		517,972
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		88,571
	FROM ENERGY CONSUMPTION TRUST FUND		21,805
	FROM FLORIDA COMMUNITIES TRUST FUND . . .		6,023
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		43,102
	FROM OPERATING TRUST FUND		142,087
1624	OTHER PERSONAL SERVICES		
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		729,628
1625	EXPENSES		
	FROM GENERAL REVENUE FUND	76,935	
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		526,231
	FROM OPERATING TRUST FUND		28,873
1626	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,000	
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		3,000
1627	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	20,568	
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		17,982
	FROM OPERATING TRUST FUND		474
1628	SPECIAL CATEGORIES		
	FRONT PORCH FLORIDA		
	FROM GENERAL REVENUE FUND	3,431,295	

From the recurring funds in Specific Appropriation 1628, $250,000 shall be used to provide 5 marketing studies for Front Porch Communities to assist in attracting new commercial businesses to the distressed communities.

1629	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	5,074	
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		3,714
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		635
	FROM ENERGY CONSUMPTION TRUST FUND		156
	FROM FLORIDA COMMUNITIES TRUST FUND . . .		43
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		309
	FROM OPERATING TRUST FUND		1,019
1631	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS - SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS		
	FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . .		117,904,000

From the funds in Specific Appropriation 1631, $82,904,000 in non-recurring Small Cities Community Development Block Grant Program

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Fund is provided to meet the needs of communities impacted by Hurricanes Wilma and Katrina, with a priority on affordable housing in the most impacted areas of the state. These funds shall be used consistent with the Federal Register, Vol. 71, No. 29, February 13, 2006, Docket No. FR-5051-N-01, and the Action Plan for Disaster Recovery approved by the United States Department of Housing and Urban Development. If Senate Bill 132, House Bill 1363, or similar legislation passed during the 2006 legislative session or any extension thereof becomes law, and such legislation contains appropriations for this purpose, then the $82,904,000 in Specific Appropriation 1631 shall not take effect.

1632	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	BRANDON COMMUNITY ADVANTAGE CENTER		
	FROM GENERAL REVENUE FUND	2,000,000	
	FROM U.S. CONTRIBUTIONS TRUST FUND		1,400,000

From the funds in Specific Appropriation 1632, $1,400,000 from the U.S. Contributions Trust Fund is provided for structural improvements that may be made with federal funds available for hazard mitigation towards meeting the requirements of ARC 4496, Guidelines for Hurricane Evacuation Shelter Selection.

1632A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT		
	FROM GENERAL REVENUE FUND	1,575,000	

Funds in Specific Appropriation 1632A shall be allocated as follows:

By the River - Senior Housing Facility - Indian River Co....	1,000,000
West Miami Community Center Renovations.....	75,000
Rebuilding Together Miami.....	200,000
Northwest Federated Women's Club Renovation - Broward County	100,000
Medley Municipal Services Facility - Dade County.....	200,000

TOTAL:	AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT		
	FROM GENERAL REVENUE FUND	7,817,674	
	FROM TRUST FUNDS		121,435,624
	TOTAL POSITIONS	25.00	
	TOTAL ALL FUNDS		129,253,298

BUILDING CODE COMPLIANCE AND HAZARD MITIGATION

APPROVED SALARY RATE 741,960

1633	SALARIES AND BENEFITS POSITIONS 17.00		
	FROM OPERATING TRUST FUND		990,509
1634	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		195,000
	FROM OPERATING TRUST FUND		1,856,255
1635	EXPENSES		
	FROM OPERATING TRUST FUND		431,032
1636	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		2,000
1637	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF HEALTH		
	FROM OPERATING TRUST FUND		294,414

In the event that the Building Permit Surcharge revenue collections are insufficient to fund the level of appropriation in Specific Appropriation 1637, this transfer shall be reduced to reflect the amount actually collected.

1638	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		12,165

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1639 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 43,851

1640 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 7,069

TOTAL: BUILDING CODE COMPLIANCE AND HAZARD MITIGATION
FROM TRUST FUNDS 3,832,295

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 3,832,295

PUBLIC SERVICE AND ENERGY INITIATIVES

APPROVED SALARY RATE 528,357

1641 SALARIES AND BENEFITS POSITIONS 13.00
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 416,634
FROM ENERGY CONSUMPTION TRUST FUND 227,855
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 189,845

1642 OTHER PERSONAL SERVICES
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 338,247
FROM ENERGY CONSUMPTION TRUST FUND 263
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 46,148

1643 EXPENSES
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 3,056
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 154,222
FROM ENERGY CONSUMPTION TRUST FUND 130,387
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 96,808

1644 OPERATING CAPITAL OUTLAY
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 1,550
FROM ENERGY CONSUMPTION TRUST FUND 1,450
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 1,000

1645 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK
GRANTS
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 17,876,599

1646 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 45,064,000

1647 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 859
FROM ENERGY CONSUMPTION TRUST FUND 728
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 439

1648 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 175,000
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 125,000

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1649 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 2,652
FROM ENERGY CONSUMPTION TRUST FUND 1,450
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 1,208

1650 SPECIAL CATEGORIES
CIVIL LEGAL ASSISTANCE
FROM GENERAL REVENUE FUND 2,500,000

Funds in Specific Appropriation 1650 are provided for the programs established pursuant to sections 68.094 through 68.105, Florida Statutes.

1650A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SITE CLEANUP / COMMUNITY DEVELOPMENT
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000

From the funds in Specific Appropriation 1650A, $1,000,000 in non-recurring Grants and Donations Trust Fund is provided for a pilot project to clean-up eligible sites within an existing enterprise zone which includes or is nearby an existing Front Porch Florida initiative and located within a community having a population of not greater than 150,000. This appropriation is contingent upon the transfer of funds appropriated in the Department of Environmental Protection in Specific Appropriation 1857A.

1651 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,199,761
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 4,435,153

TOTAL: PUBLIC SERVICE AND ENERGY INITIATIVES
FROM GENERAL REVENUE FUND 2,675,000
FROM TRUST FUNDS 77,315,314

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 79,990,314

LAND ACQUISITION AND ADMINISTRATION

APPROVED SALARY RATE 739,950

1652 SALARIES AND BENEFITS POSITIONS 17.00
FROM FLORIDA COMMUNITIES TRUST FUND . . . 970,889

1653 OTHER PERSONAL SERVICES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 50,000

1654 EXPENSES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 230,089

1655 OPERATING CAPITAL OUTLAY
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,000

1656 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,391

1657 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA COMMUNITIES TRUST FUND . . . 6,814

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1658 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 66,000,000

TOTAL: LAND ACQUISITION AND ADMINISTRATION
FROM TRUST FUNDS 67,262,183

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 67,262,183

PROGRAM: FLORIDA HOUSING FINANCE CORPORATION

AFFORDABLE HOUSING FINANCING

1658A SPECIAL CATEGORIES
AFFORDABLE HOUSING INITIATIVES
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 125,900,000
FROM STATE HOUSING TRUST FUND 62,100,000

From the funds in Specific Appropriation 1658A, $75,900,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for the Rental Recovery Loan Program.

From the funds in Specific Appropriation 1658A, $50,000,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for the Community Workforce Housing Innovation Pilot Program for workforce housing assistance for moderate income persons in high-cost counties.

From the funds in Specific Appropriation 1658A, $15,000,000 in non-recurring funds in the State Housing Trust Fund is provided for the Farmworker Housing Recovery Program and the Special Housing Assistance and Development Program.

From the funds in Specific Appropriation 1658A, $30,000,000 in non-recurring funds in the State Housing Trust Fund is provided to assist in the production of housing units for extremely-low-income persons, as defined in s. 420.0004(8), Florida Statutes.

From the funds in Specific Appropriation 1658A, $100,000 in non-recurring funds in the State Housing Trust Fund is provided for technical and training assistance.

From the funds in Specific Appropriation 1658A, $17,000,000 in non-recurring State Housing Trust Fund is provided for the rental recovery loan Program.

If Senate Bill 132, House Bill 1363, or similar legislation passed during the 2006 legislative session or any extension thereof becomes law, and such legislation contains appropriations for the purposes specified for Specific Appropriation 1658A, then Specific Appropriation 1658A of this act shall not take effect.

1659 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS
FROM STATE HOUSING TRUST FUND 70,500,000

1660 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 166,400,000

1661 SPECIAL CATEGORIES
HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM - MONITORING
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 200,000

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1662 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES (DCF) - HOMELESS PROGRAMS
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 7,900,000

TOTAL: AFFORDABLE HOUSING FINANCING
FROM TRUST FUNDS 433,000,000

TOTAL ALL FUNDS 433,000,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 15,226,372

1664 SALARIES AND BENEFITS POSITIONS 313.50
FROM GENERAL REVENUE FUND 3,279,323
FROM ADMINISTRATIVE TRUST FUND 15,049,000
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 66,744
FROM INLAND PROTECTION TRUST FUND 195,648
FROM GRANTS AND DONATIONS TRUST FUND . . . 664,533
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 73,594

1665 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 79,500
FROM ADMINISTRATIVE TRUST FUND 465,659
FROM GRANTS AND DONATIONS TRUST FUND . . . 324,879

1666 EXPENSES
FROM GENERAL REVENUE FUND 73,875
FROM ADMINISTRATIVE TRUST FUND 3,298,579
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 28,500
FROM INLAND PROTECTION TRUST FUND 53,728
FROM GRANTS AND DONATIONS TRUST FUND . . . 585,089

1667 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 117,414
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,399

1668 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 459,846

1669 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
FROM ADMINISTRATIVE TRUST FUND 30,813

1670 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 184,000

1671 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 85,001

1672 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 9,910

1673 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 357,407

1674 SPECIAL CATEGORIES
PETROLEUM CLEANUP AUDITS
FROM INLAND PROTECTION TRUST FUND 430,980

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1675 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 22,578
FROM ADMINISTRATIVE TRUST FUND 103,610
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 460
FROM INLAND PROTECTION TRUST FUND 1,347
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,575

1675A QUALIFIED EXPENDITURE CATEGORY
APALACHICOLA-CHATTAHOOCHEE-FLINT RIVER BASIN CASE LITIGATION COSTS
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 3,387,500

From the funds in Specific Appropriation 1675A, the Department of Environmental Protection shall submit to the chair of the Senate Ways and Means Committee, the chair of the House Fiscal Council, and to the Executive Office of the Governor a quarterly status report on the Apalachicola, Chattahoochee, and Flint rivers water allocation compact litigation. The report shall also provide quarterly expenditures and budget projections for the remainder of the fiscal year.

1676 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,750,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,455,276
FROM TRUST FUNDS 27,730,215

TOTAL POSITIONS 313.50
TOTAL ALL FUNDS 31,185,491

PROGRAM: STATE LANDS

INVASIVE PLANT CONTROL

APPROVED SALARY RATE 1,265,391

1677 SALARIES AND BENEFITS POSITIONS 29.50
FROM INVASIVE PLANT CONTROL TRUST FUND . . 1,635,783

1678 OTHER PERSONAL SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 667,080

1679 EXPENSES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 950,130

1680 OPERATING CAPITAL OUTLAY
FROM INVASIVE PLANT CONTROL TRUST FUND . . 26,782

1681 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 30,000

1682 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 225,000

1683 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM INVASIVE PLANT CONTROL TRUST FUND . . 38,434,647
FROM GRANTS AND DONATIONS TRUST FUND . . . 800,000

1684 SPECIAL CATEGORIES
TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR ADMINISTRATIVE OVERHEAD
FROM INVASIVE PLANT CONTROL TRUST FUND . . 880,000

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1685 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM
FROM INVASIVE PLANT CONTROL TRUST FUND . . 25,000

1686 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH
FROM INVASIVE PLANT CONTROL TRUST FUND . . 874,171

1687 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INVASIVE PLANT CONTROL TRUST FUND . . 13,009

TOTAL: INVASIVE PLANT CONTROL
FROM TRUST FUNDS 44,561,602

TOTAL POSITIONS 29.50
TOTAL ALL FUNDS 44,561,602

LAND ADMINISTRATION

APPROVED SALARY RATE 1,976,607

1688 SALARIES AND BENEFITS POSITIONS 45.00
FROM GRANTS AND DONATIONS TRUST FUND . . . 427
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 2,508,575
FROM LAND ACQUISITION TRUST FUND 205,539
FROM WATER MANAGEMENT LANDS TRUST FUND . . 57,182

1689 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 120,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 524,921
FROM LAND ACQUISITION TRUST FUND 4,000

1690 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 336,814
FROM GRANTS AND DONATIONS TRUST FUND . . . 34,528
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 7,765,775
FROM LAND ACQUISITION TRUST FUND 18,394
FROM WATER MANAGEMENT LANDS TRUST FUND . . 6,553

From the funds in Specific Appropriation 1690, up to $7,150,000 from the Internal Improvement Trust Fund is provided for the Developers of Coral Bay, Inc., settlement agreement with the Department of Environmental Protection, case number 04-16760 CA 09. The department is prohibited from expending funds from any specific appropriation or from any other source except Specific Appropriation 1690 for this purpose. The department shall not supplement this appropriation from any other source in the absence of express legislative authority.

1691 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 38,737
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 42,550

1692 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 60,000

1693 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 445,895

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1694 SPECIAL CATEGORIES
PAYMENT IN LIEU OF TAXES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,360,000

1695 SPECIAL CATEGORIES
FLORIDA FOREVER
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 150,000

1695A SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM LAND ACQUISITION TRUST FUND 135,000,000

1696 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 3
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 20,078
FROM LAND ACQUISITION TRUST FUND 1,598
FROM WATER MANAGEMENT LANDS TRUST FUND . . 445

1696A SPECIAL CATEGORIES
TRANSFER GENERAL REVENUE AND TRUST FUND REVENUES TO FLORIDA FOREVER TRUST FUND FOR LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 300,000,000

1698 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER TRUST FUND 105,000,000

1699 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND 375,385,020

Funds provided in Specific Appropriation 1699 are for Fiscal Year 2006-2007 debt service on outstanding bonds authorized prior to July 1, 2006. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies due to a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

1700 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM SAVE OUR EVERGLADES TRUST FUND . . . 8,797,685

Funds provided in Specific Appropriation 1700 are for Fiscal Year 2006-07 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies due to a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service.

1701 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND 105,000,000
FROM WATER MANAGEMENT LANDS TRUST FUND . . 59,000,000

Funds provided in Specific Appropriation 1701 from the Water Management Lands Trust Fund shall be allocated in accordance with the provisions of section 373.59(8), Florida Statutes. First priority for the use of these funds shall be to meet outstanding debt service obligations, to meet statutory requirements for payments in lieu of taxes, and to provide management of water management lands as authorized in section 373.59(9), Florida Statutes. Management may include the control and removal of non-indigenous exotic vegetation.

After meeting the requirements in the above paragraph, the governing board of a water management district may request, and the Secretary of the Department of Environmental Protection shall release upon such request, funds provided in Specific Appropriation 1701 from the Water Management Lands Trust Fund for the purpose of carrying out the provisions of sections 373.451 - 373.4595, Florida Statutes.

1702 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM SAVE OUR EVERGLADES TRUST FUND . . . 135,000,000

Funds in Specific Appropriation 1702 are for land acquisition, the design and construction of Comprehensive Everglades Restoration Plan project components submitted for approval to the Department of Environmental Protection pursuant to section 373.026(8)(b), Florida Statutes, the design and construction of the Henderson Creek/Belle Meade Project as defined in the Comprehensive Everglades Restoration Plan, and for the implementation of a Water Quality Feasibility Study as defined in the Comprehensive Everglades Restoration Plan.

From the funds provided in Specific Appropriation 1702, $25,000,000 shall be used by the department to acquire land to mitigate flowage concerns from the Biscayne Bay and C-111 projects, and $10,000,000 shall be used by the department to provide additional water storage opportunities in the Loxahatchee River area.

TOTAL: LAND ADMINISTRATION
FROM TRUST FUNDS 1236,884,719

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 1236,884,719

LAND MANAGEMENT

APPROVED SALARY RATE 4,326,993

1703 SALARIES AND BENEFITS POSITIONS 103.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 791,227
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 4,694,592

1704 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 914,659
FROM GRANTS AND DONATIONS TRUST FUND . . . 874,024
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 426,519

1705 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 184,454
FROM GRANTS AND DONATIONS TRUST FUND . . . 433,457
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 1,325,502

1706 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 33,111
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 87,363

1707 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE PLANT INDUSTRY TRUST FUND
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 250,000

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1708 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 20,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 200,000

1709 SPECIAL CATEGORIES
STATE LANDS STEWARDSHIP
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 375,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 200,000

1710 SPECIAL CATEGORIES
NATIONAL OCEAN SURVEY
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 84,000

1711 SPECIAL CATEGORIES
RICO ACT- DISTRIBUTION OF PROCEEDS FROM PROPERTY SALES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 716,932

1712 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 92,543

1713 SPECIAL CATEGORIES
TOPOGRAPHIC MAPPING
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 200,000

1714 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 3,330,000

1715 SPECIAL CATEGORIES
TRANSFER - DIVISION OF FORESTRY INCIDENTAL TRUST FUND
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 19,617,729

1716 SPECIAL CATEGORIES
TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR MANAGEMENT OF CARL LANDS
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 16,503,935

1717 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF STATE FOR GRANTS AND DONATIONS TRUST FUND
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 6,540,609

1718 SPECIAL CATEGORIES
WATER MANAGEMENT DISTRICT PROPERTY TAXES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 50,000

1719 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 6,561
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 38,930

1720 FIXED CAPITAL OUTLAY
BELLE GLADE HAZARDOUS WASTE CLEANUP
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 250,000

1720A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CASCADES PARK REMEDIATION
FROM WATER QUALITY ASSURANCE TRUST FUND . 3,000,000

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TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS 61,391,147

TOTAL POSITIONS 103.00
TOTAL ALL FUNDS 61,391,147

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 18,601,708

1721 SALARIES AND BENEFITS POSITIONS 460.00
FROM GENERAL REVENUE FUND 13,069,555
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 3,626,215
FROM GRANTS AND DONATIONS TRUST FUND . . . 466,045
FROM LAND ACQUISITION TRUST FUND 1,222,916
FROM PERMIT FEE TRUST FUND 5,603,781

1722 OTHER PERSONAL SERVICES
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 294,303

1723 EXPENSES
FROM GENERAL REVENUE FUND 148,100
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 1,624,012
FROM GRANTS AND DONATIONS TRUST FUND . . . 36,502
FROM LAND ACQUISITION TRUST FUND 215,999
FROM PERMIT FEE TRUST FUND 350,899

1724 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 877,072

1725 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,225
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 6,750
FROM GRANTS AND DONATIONS TRUST FUND . . . 30
FROM LAND ACQUISITION TRUST FUND 900
FROM PERMIT FEE TRUST FUND 5,170

1726 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 30,215
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,304
FROM PERMIT FEE TRUST FUND 6,633

1727 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 101,112
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 28,054
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,606
FROM LAND ACQUISITION TRUST FUND 9,461
FROM PERMIT FEE TRUST FUND 43,354

1727A SPECIAL CATEGORIES
GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,222

1728 FIXED CAPITAL OUTLAY
DEPARTMENT OF TRANSPORTATION MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 200,000

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TOTAL: WATER RESOURCE PROTECTION AND RESTORATION		
FROM GENERAL REVENUE FUND	13,326,992	
FROM TRUST FUNDS		14,662,443
TOTAL POSITIONS	460.00	
TOTAL ALL FUNDS		27,989,435

AIR ASSESSMENT

APPROVED SALARY RATE 657,681

1729	SALARIES AND BENEFITS POSITIONS	17.00	
	FROM AIR POLLUTION CONTROL TRUST FUND . .		869,125
	FROM GRANTS AND DONATIONS TRUST FUND . . .		166,162
1730	OTHER PERSONAL SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		28,445
	FROM GRANTS AND DONATIONS TRUST FUND . . .		60,000
1731	EXPENSES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		82,949
	FROM GRANTS AND DONATIONS TRUST FUND . . .		40,272
1732	OPERATING CAPITAL OUTLAY		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		9,572
1733	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		5,300
1734	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		5,813
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,111
TOTAL: AIR ASSESSMENT			
	FROM TRUST FUNDS		1,268,749
	TOTAL POSITIONS	17.00	
	TOTAL ALL FUNDS		1,268,749

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 3,571,379

1735	SALARIES AND BENEFITS POSITIONS	80.00	
	FROM AIR POLLUTION CONTROL TRUST FUND . .		4,386,439
1736	OTHER PERSONAL SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		174,156
1737	EXPENSES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		518,753
1738	OPERATING CAPITAL OUTLAY		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		88,735
1739	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		9,750
1740	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		13,968
1741	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		32,618

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1741A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,352
TOTAL: AIR POLLUTION PREVENTION			
	FROM TRUST FUNDS		5,228,771
	TOTAL POSITIONS	80.00	
	TOTAL ALL FUNDS		5,228,771

WASTE CONTROL

APPROVED SALARY RATE 6,852,856

1742	SALARIES AND BENEFITS POSITIONS	163.00	
	FROM INLAND PROTECTION TRUST FUND		2,486,492
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,152,662
	FROM PERMIT FEE TRUST FUND		699,201
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		1,487,286
	FROM WATER QUALITY ASSURANCE TRUST FUND .		2,918,981
1743	OTHER PERSONAL SERVICES		
	FROM INLAND PROTECTION TRUST FUND		110,000
1744	EXPENSES		
	FROM INLAND PROTECTION TRUST FUND		591,788
	FROM GRANTS AND DONATIONS TRUST FUND . . .		108,463
	FROM PERMIT FEE TRUST FUND		39,287
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		148,843
	FROM WATER QUALITY ASSURANCE TRUST FUND .		264,750
1745	OPERATING CAPITAL OUTLAY		
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		60,919
1746	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INLAND PROTECTION TRUST FUND		260,579
1747	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INLAND PROTECTION TRUST FUND		1,860
	FROM GRANTS AND DONATIONS TRUST FUND . . .		550
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		6,550
	FROM WATER QUALITY ASSURANCE TRUST FUND .		16,145
1748	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM WATER QUALITY ASSURANCE TRUST FUND .		120,594
1749	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INLAND PROTECTION TRUST FUND		90,266
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,356
1750	SPECIAL CATEGORIES		
	RESEARCH, DEVELOPMENT AND TECHNICAL ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM		
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		14,000
1751	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM INLAND PROTECTION TRUST FUND		18,910
	FROM GRANTS AND DONATIONS TRUST FUND . . .		8,766
	FROM PERMIT FEE TRUST FUND		5,318
	FROM SOLID WASTE MANAGEMENT TRUST FUND . .		11,311
	FROM WATER QUALITY ASSURANCE TRUST FUND .		22,199
TOTAL: WASTE CONTROL			
	FROM TRUST FUNDS		10,650,076

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TOTAL POSITIONS	163.00	
TOTAL ALL FUNDS		10,650,076

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,383,419

1752 SALARIES AND BENEFITS POSITIONS	98.00	
FROM GENERAL REVENUE FUND	3,965,995	
FROM ADMINISTRATIVE TRUST FUND		369,295
FROM AIR POLLUTION CONTROL TRUST FUND . .		987,986
FROM SOLID WASTE MANAGEMENT TRUST FUND . .		287,250
1753 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		127,564
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		212,000
1754 EXPENSES		
FROM GENERAL REVENUE FUND	1,193,066	
FROM ADMINISTRATIVE TRUST FUND		527,639
FROM AIR POLLUTION CONTROL TRUST FUND . .		267,828
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,893
FROM LAND ACQUISITION TRUST FUND		27,923
FROM SOLID WASTE MANAGEMENT TRUST FUND . .		41,650
1755 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		13,804
1756 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	23,295	
FROM ADMINISTRATIVE TRUST FUND		55,085
FROM AIR POLLUTION CONTROL TRUST FUND . .		8,894
1757 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	96,598	
FROM ADMINISTRATIVE TRUST FUND		31,973
1758 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	28,822	
FROM ADMINISTRATIVE TRUST FUND		2,684
FROM AIR POLLUTION CONTROL TRUST FUND . .		7,180
FROM SOLID WASTE MANAGEMENT TRUST FUND . .		2,088
1758A SPECIAL CATEGORIES		
GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		298,994
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	5,307,776	
FROM TRUST FUNDS		3,273,730
TOTAL POSITIONS	98.00	
TOTAL ALL FUNDS		8,581,506

WASTE CLEANUP

APPROVED SALARY RATE 42,880

1759 SALARIES AND BENEFITS POSITIONS	1.00	
FROM WATER QUALITY ASSURANCE TRUST FUND .		100,603
1760 SPECIAL CATEGORIES		
HAZARDOUS WASTE CLEANUP		
FROM WATER QUALITY ASSURANCE TRUST FUND .		69,941

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1761 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM WATER QUALITY ASSURANCE TRUST FUND .		401
TOTAL: WASTE CLEANUP		
FROM TRUST FUNDS		170,945
TOTAL POSITIONS	1.00	
TOTAL ALL FUNDS		170,945

PROGRAM: RESOURCE ASSESSMENT AND MANAGEMENT

FLORIDA GEOLOGICAL SURVEY

APPROVED SALARY RATE 1,706,372

1762 SALARIES AND BENEFITS POSITIONS	39.00	
FROM MINERALS TRUST FUND		2,095,287
FROM WATER QUALITY ASSURANCE TRUST FUND .		133,886
1763 OTHER PERSONAL SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		342,229
FROM MINERALS TRUST FUND		422,651
1764 EXPENSES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		312,082
FROM MINERALS TRUST FUND		359,713
FROM WATER QUALITY ASSURANCE TRUST FUND .		99,716
1765 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . .		46,000
FROM MINERALS TRUST FUND		117,273
FROM WATER QUALITY ASSURANCE TRUST FUND .		12,078
1766 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM MINERALS TRUST FUND		31,600
1767 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		15,000
FROM MINERALS TRUST FUND		8,000
FROM WATER QUALITY ASSURANCE TRUST FUND .		350,000
1768 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM MINERALS TRUST FUND		13,137
1769 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM MINERALS TRUST FUND		16,847
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,077
TOTAL: FLORIDA GEOLOGICAL SURVEY		
FROM TRUST FUNDS		4,376,576
TOTAL POSITIONS	39.00	
TOTAL ALL FUNDS		4,376,576

LABORATORY SERVICES

APPROVED SALARY RATE 3,395,331

1770 SALARIES AND BENEFITS POSITIONS	82.00	
FROM ADMINISTRATIVE TRUST FUND		452,136
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		3,999,960
1771 OTHER PERSONAL SERVICES		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		1,254,590
FROM GRANTS AND DONATIONS TRUST FUND . . .		60,039

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1772 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 44,862
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 1,598,828
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000

1773 OPERATING CAPITAL OUTLAY
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 262,500
FROM GRANTS AND DONATIONS TRUST FUND . . . 13,002

1774 SPECIAL CATEGORIES
GROUND WATER QUALITY MONITORING NETWORK
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 125,000

1775 SPECIAL CATEGORIES
WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 519,764

1776 SPECIAL CATEGORIES
EVERGLADES LAB SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 494,180

1777 SPECIAL CATEGORIES
SPECIAL STUDIES
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 500,000

1778 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 90,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,000

1779 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 357,000

1780 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 14,266
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 5,310

1781 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 3,821
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 33,806

TOTAL: LABORATORY SERVICES
FROM TRUST FUNDS 9,889,064

TOTAL POSITIONS 82.00
TOTAL ALL FUNDS 9,889,064

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,938,806

1782 SALARIES AND BENEFITS POSITIONS 68.00
FROM WORKING CAPITAL TRUST FUND 3,781,757

1783 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 400,000

1784 EXPENSES
FROM WORKING CAPITAL TRUST FUND 1,918,135

1785 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 82,500

1786 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND 1,200,000

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1788 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND 9,338

1789 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND 27,763

1789A QUALIFIED EXPENDITURE CATEGORY
INTEGRATED MANAGEMENT SYSTEM
FROM WORKING CAPITAL TRUST FUND 2,237,325

1790 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 2,165,655

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 11,822,473

TOTAL POSITIONS 68.00
TOTAL ALL FUNDS 11,822,473

PROGRAM: WATER RESOURCE MANAGEMENT

BEACH MANAGEMENT

APPROVED SALARY RATE 3,237,295

1791 SALARIES AND BENEFITS POSITIONS 79.00
FROM GENERAL REVENUE FUND 442,732
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 3,379,715
FROM PERMIT FEE TRUST FUND 392,268

1792 OTHER PERSONAL SERVICES
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 497,857

1793 EXPENSES
FROM GENERAL REVENUE FUND 102,968
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 512,010
FROM PERMIT FEE TRUST FUND 307,101

1794 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 15,200
FROM PERMIT FEE TRUST FUND 18,389

1795 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,144
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 26,242
FROM PERMIT FEE TRUST FUND 3,046

1796 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BEACH PROJECTS - STATEWIDE
FROM GENERAL REVENUE FUND 20,000,000
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 30,000,000

Funds in Specific Appropriation 1796 are provided to fund, in accordance with section 161.101, Florida Statutes, the Department of Environmental Protection Beach Management Funding Assistance Program for the 2006-2007 fiscal year, and beach restoration activities not funded as part of the 2004 Hurricane Recovery Plan for specific hurricane-damaged beaches.

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The department may spend up to $500,000 conducting a study or studies to assist applicants in the appropriate design and siting of hard bottom or reef mitigation, and to assist in resolving technical differences between hard bottom or reef mitigation requirements of the state and the U.S. Army Corps of Engineers.

TOTAL: BEACH MANAGEMENT		
FROM GENERAL REVENUE FUND	20,564,044	
FROM TRUST FUNDS		35,136,628
TOTAL POSITIONS	79.00	
TOTAL ALL FUNDS		55,700,672

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 13,248,483

1797 SALARIES AND BENEFITS POSITIONS	282.00	
FROM GENERAL REVENUE FUND	2,618,301	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		411,744
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,502,683
FROM LAND ACQUISITION TRUST FUND		603,886
FROM MINERALS TRUST FUND		1,694,850
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		1,267,434
FROM PERMIT FEE TRUST FUND		1,133,346
FROM WATER QUALITY ASSURANCE TRUST FUND .		2,759,755
1798 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	270,994	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		520,000
FROM LAND ACQUISITION TRUST FUND		2,454,271
FROM MINERALS TRUST FUND		145,479
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		12,985
FROM WATER QUALITY ASSURANCE TRUST FUND .		407,956

From the funds in Specific Appropriation 1798, $250,000 from the General Revenue Fund is provided to conduct a Wekiva River and Florida Aquifer study to determine nitrate impacts to the system.

1799 EXPENSES		
FROM GENERAL REVENUE FUND	256,114	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		80,778
FROM LAND ACQUISITION TRUST FUND		54,791
FROM MINERALS TRUST FUND		390,648
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		86,065
FROM PERMIT FEE TRUST FUND		582,165
FROM WATER QUALITY ASSURANCE TRUST FUND .		421,824
1800 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		453,000
1801 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE		
FROM PERMIT FEE TRUST FUND		250,000
1802 OPERATING CAPITAL OUTLAY		
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		40,125
1803 SPECIAL CATEGORIES		
GROUND WATER QUALITY MONITORING NETWORK		
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,798,745

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1804 SPECIAL CATEGORIES		
WATER QUALITY MANAGEMENT/PLANNING GRANTS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,510,605
1805 SPECIAL CATEGORIES		
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM		
FROM PERMIT FEE TRUST FUND		2,283,140
1806 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	600,000	
FROM MINERALS TRUST FUND		20,000

From the funds in Specific Appropriation 1806, $600,000 from the General Revenue Fund is provided to facilitate the development of regional general permits by the United States Army Corps of Engineers in consultation with the Department of Environmental Protection and the water management districts in order to streamline wetland permitting.

1807 SPECIAL CATEGORIES		
HAZARDOUS WASTE CLEANUP		
FROM WATER QUALITY ASSURANCE TRUST FUND .		2,549,943
1808 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	75,700	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		36,083
1809 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF HEALTH FOR STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE ACT		
FROM INLAND PROTECTION TRUST FUND		1,285,197
1810 SPECIAL CATEGORIES		
HABITAT RESTORATION		
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		200,000
1811 SPECIAL CATEGORIES		
U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT		
FROM GRANTS AND DONATIONS TRUST FUND . . .		78,500
FROM WATER QUALITY ASSURANCE TRUST FUND .		214,897
1812 SPECIAL CATEGORIES		
UNDERGROUND STORAGE TANK CLEANUP		
FROM INLAND PROTECTION TRUST FUND		300,000
1813 SPECIAL CATEGORIES		
WATER WELL CLEANUP		
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,581,061
1814 SPECIAL CATEGORIES		
TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH		
FROM WATER QUALITY ASSURANCE TRUST FUND .		450,000
1814A SPECIAL CATEGORIES		
TRANSFER TO ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		
FROM GENERAL REVENUE FUND	155,433,274	
FROM LAND ACQUISITION TRUST FUND		15,000,000
1815 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	21,001	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,303
FROM GRANTS AND DONATIONS TRUST FUND . . .		52,158

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FROM LAND ACQUISITION TRUST FUND		4,844
FROM MINERALS TRUST FUND		13,594
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		10,166
FROM PERMIT FEE TRUST FUND		9,091
FROM WATER QUALITY ASSURANCE TRUST FUND .		22,136
1816 SPECIAL CATEGORIES		
WETLANDS PROTECTION		
FROM GRANTS AND DONATIONS TRUST FUND . . .		284,459
1817 FIXED CAPITAL OUTLAY		
HAZARDOUS SITES CLEANUP - PHOSPHATE/ MULBERRY/PINEY POINT		
FROM GENERAL REVENUE FUND	10,000,000	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		2,000,000
FROM WATER QUALITY ASSURANCE TRUST FUND .		7,000,000
1817A FIXED CAPITAL OUTLAY		
NON-MANDATORY LAND RECLAMATION PROJECTS		
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		4,000,000
1818 FIXED CAPITAL OUTLAY		
KEYS WASTEWATER MANAGEMENT PLAN IMPLEMENTATION		
FROM GENERAL REVENUE FUND	20,000,000	

Funds in Specific Appropriation 1818 shall be used by the Department of Environmental Protection to fund the construction of wastewater facility projects in Monroe County and in the City of Key West. This appropriation shall be distributed as follows: Monroe County shall receive $18,000,000 and the City of Key West shall receive $2,000,000. In order to be eligible for funding under this specific appropriation, each grant recipient must document that the wastewater project:

Is designed to meet the wastewater treatment and disposal requirements in chapter 99-395, Laws of Florida, as amended;

Is included in the Monroe County Sanitary Wastewater Master Plan or other formally adopted planning document addressing engineering and financing;

Involves exclusively construction or design-build;

Has been openly procured among contractors qualified to build wastewater facilities in the physical environment of the Florida Keys;

Is to be located on sites acquired no later than March 1, 2007;

Will initiate construction no later than May 1, 2007;

Will result in the completion of entire facilities or significant phases of facilities;

Leverages other moneys (local funds, including local bonding; Department of Environmental Protection State Revolving Fund loans; or other sources of money) to the maximum extent possible;

Shall provide at least a 60 percent match from any other sources except a direct line item appropriation from the State Legislature.

Has in place a system of user charges, fees, assessments, or other funding mechanisms to pay for the completion of construction and long-term operation and maintenance of the project; and

Provides mechanisms to ease the cost-burden of the project on low-income residents.

Monroe County and the City of Key West must document timely fulfillment of the requirements in this specific appropriation to the Department of Environmental Protection for each project for which funding is requested. Monroe County and the City of Key West must meet the completion deadlines established in any funding contract or grant agreement with the department. Any project that does not meet the requirements herein is not eligible for funding.

The Secretary shall identify and approve the distribution of funds contingent upon the above criteria being fulfilled. Any funds that cannot be committed as a result of a project's failure to proceed in accordance with the criteria herein and initiate construction by May 1, 2007, shall be recommended for reallocation by the Secretary of the Department of Environmental Protection, to other projects that meet the criteria.

Funds are to be counted toward the non-federal contribution of any federal funds provided for water quality improvements in the Florida Keys.

After meeting the requirements, the Secretary of the Department shall release the funds provided in Specific Appropriation 1818 for the purpose of carrying out the provisions in this section.

1819 FIXED CAPITAL OUTLAY		
TOTAL MAXIMUM DAILY LOADS		
FROM WATER QUALITY ASSURANCE TRUST FUND .		20,000,000
1820 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - SURFACE WATER IMPROVEMENTS PROJECTS		
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND		10,000,000
1821 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - WATER PROJECTS		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		215,733,274

Funds in Specific Appropriation 1821 shall be used for the following water projects:

Alachua Paul O'Dea Wastewater Treatment Plant (WWTP) Expansion	800,000
Altha Sewer System	500,000
Apalachicola River and Bay Surface Water Improvement and Management (SWIM) Program	4,000,000
Aventura Hospital District	407,500
Baldwin Waterline and Valve Replacement	250,000
Bay Harbor Islands Community Enhancements Program Phase IV Stormwater Component	300,000
Belle Meade Storm Sewers Project, Phase II, B-50672	500,000
Belleview Wastewater System Improvement Program	1,000,000
Beverly Beach Water System Improvements	250,000
Big Cypress Basin Watershed Initiative	500,000
Biscayne Park Flood Protection & Stormwater Management Planning & Implementation	50,000
Blountstown Sewer Rehab Phase IV	600,000
Bob Sikes Water Reclamation Facility Expansion Project	800,000
Boca Raton Intracoastal Parallel Force Main	660,000
Bonifay Wastewater	1,000,000
Brooksville Sewer Rehabilitation Project	200,000
Brooksville Water System Improvement Project	900,000
Bushnell Wastewater Collection System Expansion Phase IIIA and IIIB	200,000
Campbellton Water Well and System Upgrade	100,000
Canaveral-Northside Stormwater Management	1,000,000
Charlotte Harbor and Myakka River Restoration	1,000,000
Chipley Wastewater Improvements	250,000
Choctawhatchee River and Bay Surface Water Improvement Management	950,000
Cocoa Beach-Reclaimed Water Distribution Control Valves	117,500
Coconut Creek Lyons Road Improvement Project - Section III,	

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Copans to Sample	450,000
Cooper City Swale Reclamation Program Phase I	600,000
Coral Gables Capacity Upgrade to North Gables Stormwater Pump Station	125,000
Coral Gables-Conveyance Improvements to the C-3 Canal East of Control Structure G-93	983,500
Coral Springs Public Works - Wastewater Infiltration & Inflow Reduction	100,000
Crestview - Sewer Plant Land Acquisition	500,000
Crooked-Clinch-Reedy Regional Flood Mitigation	1,000,000
Crystal River-Nokomis Point Sewer Project	85,000
Cutler Bay Stormwater Master Plan	250,000
Dania Beach Water Line Looping	500,000
Daytona 4MGD Pipeline to Reclaimed Water Reservoir and Recharge Basin	100,000
Daytona Beach Concrete Sewer Line Replacement	750,000
Daytona LPGA/ISB Sewage Lift Station	500,000
Daytona Reclaimed Water System	1,000,000
Debary-Westside Emergency Flood Management System	500,000
Delray Beach-Reclaimed Water Transmission System Areas 2 & 3	500,000
Delray Beach-State Road A-1-A Water Main Replacement	513,750
Doral Municipal Park Improvement - City of Doral	500,000
Duck Pond Area Drainage Improvements	1,000,000
Duck Slough BMP Implementation	1,000,000
Dunnellon Stormwater Projects relating to Blue Cove Lake	367,000
Dunnellon Wastewater System Improvement	500,000
East County Water Control District-Caloosahatchee River Basin Initiative	500,000
East Putnam County Regional Wastewater Project	1,000,000
Ellisville Wastewater Collection/I-75	500,000
Emerald Coast Utilities Authority Main Street WWTP Replacement-SWIM	8,000,000
Estero Bay Watershed Initiative	800,000
Facilitating Agriculture Resource Management Systems (FARMS)	500,000
Fairlawn Storm Sewer Pump Station Project, Phase IIA, B-50702	450,000
Fellsmere Potable Water Treatment Plant Expansion	250,000
Flagami/West End Storm Sewers Improvement Project, Phase II, B-50695	800,000
Florida City Friedland Manor Flood Mitigation	500,000
Florida City Water System Repair	1,500,000
Ft. Lauderdale Edgewood Drainage	500,000
Ft. Lauderdale NE Drainage Area Improvements	200,000
Ft. Lauderdale On-site Sodium Hypochlorite Generation	1,000,000
Ft. Myers-Caloosahatchee River Watershed Initiative	500,000
Ft. Myers Downtown Water, Sewer & Stormwater Drainage Improvements	1,000,000
Ft. Walton Beach Reuse Water System Expansion	221,360
Ft. Walton Beach-Storm Drainage Improvement Program	110,000
Gadsden County Water/Sewer Infrastructure Project	350,000
Gainesville-Extension of Potable Water to Low Income Residents	100,000
Glades County Sewer System Expansion	500,000
Glen St. Mary Water Main Extension	600,000
Graceville Wastewater Improvements	100,000
Grand Ridge Wastewater Improvements	750,000
Gretna Inflow/Infiltration of Collection System	500,000
Gulf Beaches Sewer	2,000,000
Hardee County/Bowling Green Wastewater Service Area	650,000
Hardee County Regional Wastewater Master Design	235,000
Hardee County Regional Reuse Wastewater Master Design	245,000
Hardee County/Wauchula Hills Wastewater Service Area	1,300,000
Harris Chain of Lakes Restoration	369,500
Havana Loop Connection-North Water Main	17,500
Havana Sewer Expansion	135,000
Hawthorne Sewer Extension	500,000
Hendry County Regional Water Treatment Facility	500,000
Hernando County - Peck Sink Watershed Initiative	1,000,000
Hialeah Construction of Pump Station 200	1,000,000
Hialeah Construction of Sewer Mains for the Annexation Areas	1,000,000
Hialeah Rehabilitation and Upgrades to 14 Priority Pump Stations	1,000,000
Hialeah Rehabilitation of Pump Station 006	225,000
Hialeah Relining of Sewer Mains	1,300,000

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Hilliard Wastewater Treatment Plant Improvements	700,000
Hillsborough County Stormwater Utility Pilot	1,650,000
Hollywood 14th Avenue Drainage Improvement Project	350,000
Hollywood Stormwater Pump Station #6/Rehabilitation	500,000
Homestead Treatment Plants & Pump Stations	200,000
Homosassa Wastewater Collection System - Phase 4/ Chassahowitzka Drinking Water System Phase 1	2,000,000
Horseshoe Beach Water System Improvements	500,000
Indian River County Environmental Impacts of Desalinization Effluents	400,000
Indian River County Surface Water Improvement Initiative	2,000,000
Indian River Lagoon Initiative	7,250,000
Indian River Lagoon Issues Team	12,078,331
Inglis Stormwater Management Project	250,000
Jacksonville-Magnolia Gardens Stormwater Rehabilitation	300,000
Jay-Erosion Control of Wastewater Treatment Plant	300,000
JEA Reclaimed Water Master Plan	508,025
Key Biscayne Sanitary Sewer Project	1,000,000
Key Biscayne Stormwater Project	500,000
Kissimmee Stormwater Monitoring and Modeling Project	700,000
Kissimmee Upper Basin Restoration	1,400,000
L-40 Berm Extension-Palm Beach Co	650,000
Lake Griffin Access Dredging	850,000
Lake Okeechobee Projects (LOER & LOPP Initiatives)	6,200,000
Lake Region Water Treatment Plant	4,000,000
Lake Tsala Apopka Water Quality Monitoring and Assessment Initiative	50,000
Lake Worth Lagoon C-51 Sediment Management Project	500,000
Lake Worth Lagoon Restoration	2,000,000
Lake Worth Lagoon Stormwater Infrastructure Replacement Project	500,000
Lakeland Urban Lake Restoration Initiative	500,000
Lauderdale Lakes Comprehensive Stormwater Improvements Project-Phase II	500,000
Leon County-Lake Jackson/Rhoden Cove Regional Stormwater Treatment Facility	400,000
Leon County-Thomas P. Smith Water Reclamation Facility Effluent Improvement Initiative	600,000
Lighthouse Point Stormwater System	250,000
Little Sabine Lagoon Restoration	1,000,000
Little Wekiva River Water Quality Improvement Initiative	825,000
Live Oak Reuse Project	500,000
Live Oak Wastewater Improvement Project	500,000
Lockhart-Smith Canal Regional Stormwater Facility	1,000,000
Lower St. Johns River Basin Initiative	10,000,000
Loxahatchee River Preservation Initiative	3,722,550
Loxahatchee Slough Restoration (M-Canal Widening)	1,000,000
Madison Stormwater Project	300,000
Marianna Stormwater Drainage Improvement Project	500,000
Marion County Oak Run Regional Reclaimed Water Project	500,000
Marion County Summerglen Reclaimed Water Program	500,000
Martin Lake Surface Water Restoration	500,000
Matlacha Pass Hydrologic Restoration	250,000
Miami Beach Stormwater Infrastructure Improvements	750,000
Miami Gardens Drainage Improvement Industrial Area	600,000
Miami Gardens NW 45th Ct. Drainage Improvements	100,000
Miami Lakes Stormwater Drainage Improvements	400,000
Miami NE 71st St. Storm Sewers Project, B-50690	500,000
Miami River Beyond the Federal Channel Dredging Project	2,200,000
Miami River Federal Channel Dredging Project	1,000,000
Miami Shores Village Stormwater Drainage Improvements	250,000
Miami Springs Potable Water Line Repairs	500,000
Miami Springs Sanitary Sewer Line Repairs	1,000,000
Miami Springs Stormwater Utility Improvements	500,000
Middle St. Johns River Basin Initiative	1,200,000
Milton Surface Water Quality Improvements (Wastewater)	900,000
Miramar Integrated Water Resource Program	216,400
Mount Dora-Lake John Stormwater Improvements	269,500
Naples Bay Watershed Initiative	800,000
Naples Stormwater Drainage Basin III Water Quality & Flood Mitigation Improvements	500,000
Naples Stormwater Drainage Basin V Water Quality & Flood Mitigation Improvements	250,000
NE Choctawhatchee Bay Restoration Project - Wastewater	1,300,000

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New Smyrna Beach-Esther St. Property Acquisition for Hazard Mitigation	100,000
Niceville-Stormwater Utility Improvements	1,000,000
North Bay Village Rehabilitation of North Bay Island Stormwater Injection Well	122,500
North Miami Beach-Highland Village Stormwater Improvements	300,000
North Miami Beach Norwood Water Treatment Plant Stormwater Retention Ponds and Abandonment of Existing Exfiltration Systems	600,000
North Miami Emergency Generators	700,000
North Miami Gravity Sewer System Improvements	1,000,000
North Port-Stormwater Quality Improvement Project-Phase II	500,000
Northern Coastal Basin Initiative	525,000
Oakland Park Cherry Creek Stormwater	375,000
Oakland Park Sleepy River Upstream of Oakland Park Blvd. SW.	310,000
Okeechobee County Wastewater Expansion and Improvements	500,000
Oldsmar Municipal Water Supply	2,000,000
Opa-locka NW 128th St. Drainage Improvements	620,000
Opa-locka NW 143rd St. Stormwater Drainage Improvements	192,500
Opa-locka Potable Drinking Water Booster Station Upgrade	600,000
Orange County-Multi-Jurisdictional Drainage Infrastructure Improvements	1,250,000
Orange Creek Basin Initiative	500,000
Orlando-Grant St. Drainage Improvements	200,000
Oviedo-Boys & Girls Town/Shane Kelly Park Wastewater Improvement	380,000
Palatka Wastewater Plant	250,000
Palatka Water Treatment Plant	100,000
Palm Bay Firwood Ave. Drainage Improvement	200,000
Palm Bay PMCC 4 Phase III	25,000
Palm Beach-Chain of Lakes Restoration	1,250,000
Palm Grove Stormwater Improvement Project Phase 4	100,000
Palmetto Bay Stormwater System Improvements	250,000
Pembroke Park Sanitary Sewerage Improvements	550,000
Pembroke Park Stormwater Improvements	600,000
Penney Farms Wastewater Treatment Facility	200,000
Phillippi Creek Septic System Replacement Program	3,000,000
Pine Island Sewer Transmission Project	82,500
Plant City Eastside Canal Stormwater Management Master Plan.	1,000,000
Plantation Sewage Lift Station Emergency Power Transfer Connections	200,000
Polk County-Eagle Lake Stormwater	500,000
Pompano Beach Canal Dredging	100,000
Pompano Beach Rehab Storm Drain Pipe	150,000
Port Orange-Cambridge Basin Drainage Improvements	650,000
Riviera Beach-Lift Stations Improvements	500,000
Rosedale Water Assn. Improvements	100,000
Royal Palm Beach Stormwater Enhancement Project	500,000
Sanford-Lake Monroe Surface Water Improvement Program	250,000
Santa Rosa County Stormwater Master Plan	850,000
Sarasota Bay Restoration	500,000
Sebastian River Muck Removal Cost Overrun	7,100,000
Seminole County-Regional Alternative Water Supply Program	600,000
Silver Springs River Pollution Reduction Project-Ocala	500,000
Silver Springs River Pollution Reduction Project-Marion Co.	156,400
Sneads Wastewater Collection and Transmission System Upgrade Project	300,000
South Bay Wastewater Treatment Plant	1,000,000
South Miami Potable Drinking Water Extension	127,500
South Miami Stormwater Improvements	800,000
South Miami Sunset Drive Drainage Improvement	800,000
South Walton-Sewer Improvements	1,500,000
Spanish Creek Hydrologic Restoration	150,000
Spring Hill Community Infrastructure Improvements-Phase III.	300,000
St. Andrews Bay Surface Water Improvement and Management (SWIM) Project	2,500,000
St. Cloud Stormwater Grid & Sanitary Sewer Phase III	800,000
St. Lucie River Issues Team	4,023,458
St. Marks Wastewater Improvements	200,000
Starke Wastewater System Restoration	750,000
Stone Island Central Sewer System Expansion	100,000
Sumter County Stormwater Project	500,000
Sunny Isles Beach Central Island Stormwater Improvements Project	500,000

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Surfside Stormwater Improvements	125,000
Suwannee River Partnership (SRP) Water Quality Based Best Management Practice (BMP) Planning Implementation & Monitoring	750,000
Suwannee Water Distribution	400,000
Sweetwater Flood Mitigation Project	400,000
Tamarac Stormwater Pump Station Replacement	750,000
Tampa Bay Regional Reclaimed Water and Downstream Augmentation Project	6,000,000
Tampa Bay Restoration	1,000,000
Tampa-Dale Mabry (U.S. 92/S.R. 600) Flood Protections	500,000
Taylor Creek Restoration	750,000
Tsala Apopka Tussock Spoil Site Access	150,000
Umatilla Expansion of Wastewater Plant Project/Sewer Line Replacement and/or Repair	1,500,000
Upper Ocklawaha River Basin (Including Lake Apopka) Initiative	500,000
Upper Peace River Watershed Restoration Initiative	1,000,000
Vernon Sewer System Upgrade	250,000
Virginia Gardens-NW 40 St. Sidewalk/Curbing Drainage Improvement	120,000
Virginia Gardens-Stormwater Master Plan Phase III	1,170,000
Wakulla County Wastewater Improvements	600,000
Wakulla Springs Aquifer Protection Project	250,000
Walton County-Bay Loop Road Stormwater Restoration Project	1,500,000
Wares Creek Maintenance/Navigational Dredging Project (Bradenton Contribution)	500,000
Wauchula Wastewater Project	1,000,000
Webster Wastewater	200,000
West Bay Seagrass Evaluation/Restoration Project	1,000,000
West Miami Potable Water System Infrastructure Assessment	250,000
West Miami Stormwater Drainage Improvements	1,000,000
West Palm Beach-Drinking Water Algae Control Project	500,000
West St. Augustine-Funding for Non-functional Septic Tanks	891,000
Weston Stormwater Management	1,000,000
Worth Local Pump Station Improvements	500,000

Local governments receiving funds in Specific Appropriation 1821 shall provide matching dollars as follows: a) 25 percent for wastewater projects; and b) 50 percent for stormwater and surface water restoration projects. Financially disadvantaged small local governments, as defined in section 403.885(5), Florida Statutes, shall be exempt from the match provision of this section. Local governmental entities, which have been declared in a state of financial emergency pursuant to section 218.503, Florida Statutes, shall be exempt from the match provision.

1822	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		15,000,000
	FROM WATER QUALITY ASSURANCE TRUST FUND .		14,400,000
1823	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN		
	FROM GENERAL REVENUE FUND	5,000,000	
	FROM DRINKING WATER REVOLVING LOAN TRUST FUND		60,700,000
1824	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY WASTEWATER TREATMENT FACILITY CONSTRUCTION		
	FROM GENERAL REVENUE FUND	8,500,000	
	FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND . .		87,300,000
1825	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LAKE OKEECHOBEE RESTORATION		
	FROM GENERAL REVENUE FUND	25,000,000	

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From the funds in Specific Appropriation 1825, $75,000 is for the staffing and expenses of the Caloosahatchee-St. Lucie Rivers Advisory Council.

1826 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SMALL COUNTY WASTEWATER TREATMENT GRANTS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		12,000,000
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND		10,000,000
1827 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID WATER MANAGEMENT DISTRICT ALTERNATIVE WATER SUPPLY		
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND		60,000,000
TOTAL: WATER RESOURCE PROTECTION AND RESTORATION		
FROM GENERAL REVENUE FUND	227,775,384	
FROM TRUST FUNDS		571,114,981
TOTAL POSITIONS	282.00	
TOTAL ALL FUNDS		798,890,365

WATER SUPPLY

APPROVED SALARY RATE 710,192

1828 SALARIES AND BENEFITS POSITIONS	14.00	
FROM GENERAL REVENUE FUND	795,619	
FROM GRANTS AND DONATIONS TRUST FUND . . .		73,064
1829 EXPENSES		
FROM GENERAL REVENUE FUND	205,885	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,339
1830 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NW FLORIDA WATER MANAGEMENT DISTRICT OPERATIONS		
FROM WATER MANAGEMENT LANDS TRUST FUND . .		1,044,926
1831 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION		
FROM WATER MANAGEMENT LANDS TRUST FUND . .		547,000
1832 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,139	
FROM GRANTS AND DONATIONS TRUST FUND . . .		472
TOTAL: WATER SUPPLY		
FROM GENERAL REVENUE FUND	1,006,643	
FROM TRUST FUNDS		1,666,801
TOTAL POSITIONS	14.00	
TOTAL ALL FUNDS		2,673,444

PROGRAM: WASTE MANAGEMENT

WASTE CLEANUP

APPROVED SALARY RATE 4,180,798

1833 SALARIES AND BENEFITS POSITIONS	97.00	
FROM INLAND PROTECTION TRUST FUND		3,748,508
FROM SOLID WASTE MANAGEMENT TRUST FUND . .		20
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,623,365

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1834 EXPENSES	
FROM INLAND PROTECTION TRUST FUND	522,924
FROM WATER QUALITY ASSURANCE TRUST FUND .	198,562
1835 OPERATING CAPITAL OUTLAY	
FROM INLAND PROTECTION TRUST FUND	29,787
FROM WATER QUALITY ASSURANCE TRUST FUND .	11,032
1836 SPECIAL CATEGORIES CONTRACTED SERVICES	
FROM INLAND PROTECTION TRUST FUND	2,545
FROM WATER QUALITY ASSURANCE TRUST FUND .	1,200
1837 SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP	
FROM WATER QUALITY ASSURANCE TRUST FUND .	2,167,417
1838 SPECIAL CATEGORIES DRYCLEANING CONTAMINATION CLEANUP	
FROM WATER QUALITY ASSURANCE TRUST FUND .	100,000
1839 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE	
FROM INLAND PROTECTION TRUST FUND	15,731
FROM WATER QUALITY ASSURANCE TRUST FUND .	6,747
1840 SPECIAL CATEGORIES TRANSFER TO OTHER AGENCIES FOR IMPLEMENTATION OF HOUSE BILL 1671	
FROM WATER QUALITY ASSURANCE TRUST FUND .	231,092
1841 SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP	
FROM INLAND PROTECTION TRUST FUND	11,197,668
FROM GRANTS AND DONATIONS TRUST FUND . . .	1,600,048
1842 SPECIAL CATEGORIES LOCAL GOVERNMENT CLEANUP CONTRACTING	
FROM INLAND PROTECTION TRUST FUND	12,000,000
1843 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM INLAND PROTECTION TRUST FUND	29,772
FROM WATER QUALITY ASSURANCE TRUST FUND .	12,893
1844 FIXED CAPITAL OUTLAY DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP	
FROM WATER QUALITY ASSURANCE TRUST FUND .	10,000,000
1845 FIXED CAPITAL OUTLAY CLEANUP OF STATE OWNED LANDS	
FROM INLAND PROTECTION TRUST FUND	4,000,000

From the funds in Specific Appropriation 1845, $2,000,000 shall be used to cleanup heating oil storage tank sites on state-owned lands starting with Okaloosa Correctional Institution, Sunland Marianna and Apalachee Correctional Institution.

1846 FIXED CAPITAL OUTLAY WASTE TIRE ABATEMENT	
FROM SOLID WASTE MANAGEMENT TRUST FUND . .	50,000
1847 FIXED CAPITAL OUTLAY PETROLEUM TANKS CLEANUP - PREAPPROVALS	
FROM INLAND PROTECTION TRUST FUND	188,000,000

From the funds in Specific Appropriation 1847, the department is authorized to expend $7,000,000 to conduct contamination assessments at ports and airports for state funded contamination cleanup to locate free product, source areas and to conduct free product source removal. To

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expedite this approach, the department is directed to select two port or airport projects which can demonstrate immediate benefits.

1848 FIXED CAPITAL OUTLAY
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 4,200,000

TOTAL: WASTE CLEANUP
FROM TRUST FUNDS 239,749,311

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 239,749,311

WASTE CONTROL

APPROVED SALARY RATE 6,690,370

1849 SALARIES AND BENEFITS POSITIONS 154.00
FROM INLAND PROTECTION TRUST FUND 1,457,186
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,036,355
FROM PERMIT FEE TRUST FUND 47,228
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,426,681
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,692,836

1850 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100,000
FROM INLAND PROTECTION TRUST FUND 23,780
FROM GRANTS AND DONATIONS TRUST FUND . . . 323,193
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 149,982
FROM WATER QUALITY ASSURANCE TRUST FUND . 12,000

From the funds in Specific Appropriation 1850, $100,000 from the General Revenue Fund is to provide Brownfield redevelopment and reuse training and education and for the development of a regional database.

1851 EXPENSES
FROM INLAND PROTECTION TRUST FUND 173,247
FROM GRANTS AND DONATIONS TRUST FUND . . . 632,061
FROM PERMIT FEE TRUST FUND 6,712
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 372,667
FROM WATER QUALITY ASSURANCE TRUST FUND . 280,140

1852 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOUTHERN WASTE
INFORMATION EXCHANGE CLEARING HOUSE
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 300,000

1853 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HAZARDOUS WASTE
COLLECTION
FROM WATER QUALITY ASSURANCE TRUST FUND . 509,994

1854 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND 9,928
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 44,094
FROM WATER QUALITY ASSURANCE TRUST FUND . 33,061

1855 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INLAND PROTECTION TRUST FUND 189,273

1856 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND 10,000,000

1857 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR
BIOMEDICAL WASTE REGULATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 880,000

1857A SPECIAL CATEGORIES
SPECIAL CATEGORY - TRANSFER TO THE
DEPARTMENT OF COMMUNITY AFFAIRS
FROM INLAND PROTECTION TRUST FUND 6,000,000

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From the funds in Specific Appropriation 1857A, $5,000,000 shall be transferred to the Department of Community Affairs in order to establish a grant program for aiding fuel distributors in retrofitting facilities to accommodate portable generators in preparation for major power outages.

Additionally, $1,000,000 shall be transferred to the Department of Community Affairs to be used in a pilot project to clean up eligible sites within an existing enterprise zone, which includes or is nearby an existing Front Porch Florida initiative, and located within a community having a population of not greater than 150,000.

1858 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 6,500
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,200
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,500
FROM WATER QUALITY ASSURANCE TRUST FUND . 900

1859 SPECIAL CATEGORIES
FEDERAL WASTE PLANNING GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 743,050

1860 SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,999,847

1861 SPECIAL CATEGORIES
HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND
EDUCATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 200,000

1862 SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 199,880

1863 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES - MOSQUITO CONTROL
PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,710,000

1864 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 5,393
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 10,637
FROM WATER QUALITY ASSURANCE TRUST FUND . 14,009

1865 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA -
RESEARCH AND TESTING
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 500,000

1866 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND 10,484
FROM GRANTS AND DONATIONS TRUST FUND . . . 14,652
FROM PERMIT FEE TRUST FUND 340
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 17,460
FROM WATER QUALITY ASSURANCE TRUST FUND . 19,375

1867 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES - OPERATION CLEAN
SWEEP
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 100,000

1868 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SOLID WASTE MANAGEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,949,500

SECTION 5
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From the funds in Specific Appropriation 1868, $6,500,000 shall be used for Consolidated Solid Waste Management Grants in counties with a population of less than 100,000 to support waste tire, litter prevention, recycling and education, and general solid waste management programs; $1,599,500 shall be used for Innovative Grants; $1,500,000 shall be used for the Florida Green Procurement Initiative to assist state agencies in meeting section 403.7065, Florida Statutes; $5,000,000 shall be for the Treasure Coast Regional Biosolids Management Facility; $100,000 is provided for a solid waste collection unit in the City of Coleman; and $250,000 is provided for the Southern Waste Information Exchange Agriculture Film Collection pilot project.

TOTAL: WASTE CONTROL
FROM GENERAL REVENUE FUND 100,000
FROM TRUST FUNDS 50,109,145

TOTAL POSITIONS 154.00
TOTAL ALL FUNDS 50,209,145

PROGRAM: RECREATION AND PARKS

LAND MANAGEMENT

APPROVED SALARY RATE 1,847,118

1869 SALARIES AND BENEFITS POSITIONS 48.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 38,407
FROM LAND ACQUISITION TRUST FUND 2,319,206

1870 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 1,238,974

1871 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 31,206
FROM LAND ACQUISITION TRUST FUND 837,352

1872 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 50,650

1873 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM LAND ACQUISITION TRUST FUND 40,000

1874 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAND ACQUISITION TRUST FUND 100,000

1875 SPECIAL CATEGORIES
MANAGEMENT OF WATER CONTROL STRUCTURES
FROM LAND ACQUISITION TRUST FUND 549,414

1876 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND 58,322

1877 SPECIAL CATEGORIES
GREENWAYS CARL MANAGEMENT FUNDING
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 2,027,784

1878 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 180,000

1879 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 425
FROM LAND ACQUISITION TRUST FUND 24,549

1879A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 123,070

1880 FIXED CAPITAL OUTLAY
ACQUISITION OF RAILROAD RIGHTS OF WAY
FROM FLORIDA FOREVER TRUST FUND 4,500,000

1881 FIXED CAPITAL OUTLAY
LAKE OKEECHOBEE SCENIC TRAIL
FROM LAND ACQUISITION TRUST FUND 1,500,000

From the funds in Specific Appropriation 1881, $500,000 shall be used for the Trailhead Implementation for the Lake Okeechobee Scenic Trail.

1882 FIXED CAPITAL OUTLAY
FLORIDA KEYS OVERSEAS HERITAGE TRAIL
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,000,000

1883 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM LAND ACQUISITION TRUST FUND 5,000,000

1884 FIXED CAPITAL OUTLAY
GREENWAY RECREATIONAL IMPROVEMENTS - INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,500,000

1885 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,800,000

1885A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LAKE JACKSON BIKE PATH - WALTON COUNTY
FROM LAND ACQUISITION TRUST FUND 350,000

TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS 35,269,359

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 35,269,359

RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS

APPROVED SALARY RATE 297,810

1885B SALARIES AND BENEFITS POSITIONS 6.00
FROM LAND ACQUISITION TRUST FUND 345,339

1885C OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 50,000

1885D EXPENSES
FROM LAND ACQUISITION TRUST FUND 33,227

1885E SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF COMMUNITY AFFAIRS - FLORIDA COMMUNITIES TRUST
FROM LAND ACQUISITION TRUST FUND 1,210,682

1885F SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND 3,072

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1885G GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FEDERAL LAND AND WATER CONSERVATION FUND GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000,000

1885H GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS
FROM FLORIDA FOREVER TRUST FUND 6,000,000
FROM LAND ACQUISITION TRUST FUND 24,281,567

1885I GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOCAL PARKS
FROM LAND ACQUISITION TRUST FUND 13,588,380

Funds in Specific Appropriation 1885I are provided for the following local parks:

Baker County Swimming Pool Project	200,000
Baldwin-Park Upgrades	100,000
Baldwin-Skateboard Park	100,000
Bristol-Veterans' Memorial Park	200,000
Carrabelle Park Phase II	200,000
Cross Florida Greenways Trail-Seminole County/Winter Springs Connection	500,000
Dade-Harris Field Improvements	250,000
Dixie Co.-Joe H. Anderson, Sr. Park	200,000
Ft. Lauderdale Aquatic Complex-Feasibility Study	250,000
Ft. Lauderdale-Development of Ann Herman Park	50,000
Ft. Lauderdale-Redevelopment of Lincoln Park	400,000
Ft. Lauderdale-Osswald Park Recreation Amenity Improvements	350,000
Ft. Walton Beach-Liza Jackson Park Improvements	111,525
Hialeah Gardens Water Park	200,000
Hickory-Hickory Park Recreation Facilities	100,000
Miami Lakes--NW 107th Linear Park	50,000
Milton Swimming Pool	250,000
North Miami Athletic Stadium Renovation	500,000
Oakland Park-SWIM Central Special Needs Certification	150,000
Palmetto Bay-Boundless Playground	250,000
Pinellas County Blueway Saltwater Paddling Trail	150,000
Pinellas-Wall Springs Coast Addition III	435,900
Pompano Beach-Community Park Improvements	500,000
Pompano Beach-Hunters Manor Park	500,000
Pompano Beach-Lifeguard Tower Replacement	48,455
Pompano Beach-McNair Center Water Recreation	92,500
Pompano Beach-Mitchell/Moore Pool	500,000
Putnam Co.-St. Johns River Trailhead Park	250,000
Sarasota-Bay Preserve at Osprey Improvements	500,000
South Miami-Citywide Bike Path Master Plan	150,000
South Miami-YMCA Property Acquisition	2,750,000
Starke Multipurpose Recreation Building	200,000
Surfside Beach Walk	100,000
Tampa Riverwalk	1,000,000
West Palm Beach City Commons	1,000,000
West Palm Beach-Acreage Community Park Expansion	1,000,000

1885J GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CITY OF HIALEAH PARK/HIALEAH RACETRACK
FROM GENERAL REVENUE FUND 1,000,000

TOTAL: RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS
FROM GENERAL REVENUE FUND 1,000,000
FROM TRUST FUNDS 50,512,267

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 51,512,267

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APPROPRIATION
STATE PARK OPERATIONS

APPROVED SALARY RATE 32,084,271

1886 SALARIES AND BENEFITS POSITIONS 1,052.50
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,142,745
FROM STATE PARK TRUST FUND 42,218,211

1887 OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 4,132,847

1888 EXPENSES
FROM STATE PARK TRUST FUND 11,865,525

1889 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 515,614

1890 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE PARK TRUST FUND 501,364

1891 SPECIAL CATEGORIES
OPERATIONAL INCENTIVES PROGRAM
FROM STATE PARK TRUST FUND 850,000

1893 SPECIAL CATEGORIES
DISTRIBUTION OF SURCHARGE FEES
FROM STATE PARK TRUST FUND 700,000

1894 SPECIAL CATEGORIES
DISBURSE DONATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 310,000
FROM STATE PARK TRUST FUND 250,000

1895 SPECIAL CATEGORIES
LAND MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,593,307

1896 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE PARK TRUST FUND 28,007

1897 SPECIAL CATEGORIES
AMERICORPS PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 850,000

1898 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 4,611,903

1899 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM STATE PARK TRUST FUND 300,000

1900 SPECIAL CATEGORIES
PURCHASES FOR RESALE
FROM STATE PARK TRUST FUND 1,456,420

1901 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE PARK TRUST FUND 2,503,033

1902 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 675,000

1903 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE PARK TRUST FUND 575,000

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1904 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 12,906
FROM STATE PARK TRUST FUND 476,281

1904A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 273,977

1905 FIXED CAPITAL OUTLAY
STATE PARK FACILITY IMPROVEMENTS
FROM LAND ACQUISITION TRUST FUND 2,500,000

1906 FIXED CAPITAL OUTLAY
HISTORIC STRUCTURE RENOVATIONS
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,000,000

1907 FIXED CAPITAL OUTLAY
GRAYTON BEACH STATE REC AREA
FROM LAND ACQUISITION TRUST FUND 850,000

1908 FIXED CAPITAL OUTLAY
BALD POINT
FROM LAND ACQUISITION TRUST FUND 2,515,000

1909 FIXED CAPITAL OUTLAY
RESOURCE RESTORATION
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 3,000,000

1910 FIXED CAPITAL OUTLAY
PARK DEVELOPMENT
FROM LAND ACQUISITION TRUST FUND 5,000,000

1911 FIXED CAPITAL OUTLAY
LETCHWORTH MOUNDS STATE PARK
FROM LAND ACQUISITION TRUST FUND 400,000

1911A FIXED CAPITAL OUTLAY
CAMP HELEN ENVIRONMENTAL LEARNING CENTER
FROM GENERAL REVENUE FUND 571,219

1912 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND 4,500,000

1913 FIXED CAPITAL OUTLAY
DISASTER RELATED REPAIRS
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,100,000

1914 FIXED CAPITAL OUTLAY
SUWANNEE RIVER WILDERNESS TRAIL
FROM LAND ACQUISITION TRUST FUND 1,000,000

1915 FIXED CAPITAL OUTLAY
REMOVE ACCESSIBILITY BARRIERS - STATEWIDE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,000,000

1916 FIXED CAPITAL OUTLAY
GRANTS AND DONATIONS SPENDING AUTHORITY
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,450,000

1917 FIXED CAPITAL OUTLAY
FACILITY REPAIR NEEDS - STATEWIDE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 13,000,000
FROM LAND ACQUISITION TRUST FUND 12,500,000

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1918 FIXED CAPITAL OUTLAY
RENOVATIONS/REPLACEMENT - SEWAGE SYSTEM - STATEWIDE
FROM LAND ACQUISITION TRUST FUND 1,000,000

1919 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND 28,348,188

TOTAL: STATE PARK OPERATIONS
FROM GENERAL REVENUE FUND 571,219
FROM TRUST FUNDS 157,005,328

TOTAL POSITIONS 1,052.50
TOTAL ALL FUNDS 157,576,547

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 3,577,682

1922 SALARIES AND BENEFITS POSITIONS 95.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 367,637
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,083,712
FROM LAND ACQUISITION TRUST FUND 3,247,764

1923 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 130,186
FROM LAND ACQUISITION TRUST FUND 716,123

1924 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 158,219
FROM LAND ACQUISITION TRUST FUND 1,033,622

1925 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 33,169
FROM LAND ACQUISITION TRUST FUND 152,150

1926 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 77,457
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,135

1927 SPECIAL CATEGORIES
SUBMERGED RESOURCE DAMAGED RESTORATIONS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 57,834

1928 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAND ACQUISITION TRUST FUND 167,303

1929 SPECIAL CATEGORIES
LITTLE PINE ISLAND MITIGATION BANK
FROM LAND ACQUISITION TRUST FUND 200,000

1930 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM GENERAL REVENUE FUND 1,300,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,540,663
FROM LAND ACQUISITION TRUST FUND 400,000

From the funds in Specific Appropriation 1930, $1,300,000 from the General Revenue Fund is provided to the University of South Florida for underwater anomaly detection.

1931 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS

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TRUST FUND 38,630
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,106
FROM LAND ACQUISITION TRUST FUND 158,580

1932 SPECIAL CATEGORIES
COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 405,834

1933 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 315,000

1933A SPECIAL CATEGORIES
OCEANS AND COASTAL RESOURCES COUNCIL
FROM GENERAL REVENUE FUND 3,000,000

Funds in Specific Appropriation 1933A are provided to fund projects on the Oceans and Coastal Resources Council Annual Science Research Plan Appendix 1 dated February 1, 2006, in order of priority. By August 1, 2006, the council shall estimate the amount of funds likely to be committed by each project during the 2006-2007 fiscal year based on the anticipated progress of each project within the fiscal year, considering permitting, purchasing, and similar factors. The council initially shall allocate no more funds to any project than the amount estimated. If the department's estimate for any project is decreased during the fiscal year, the amount of the decrease shall be transferred to the next unfunded project on the prioritized list. Up to $100,000 shall be allocated to the real-time interdisciplinary observing system in the 2006-2007 fiscal year. These funds shall be used to develop a system implementation, funding and expenditure plan that includes state, federal and local funds.

From the funds in Specific Appropriation 1933A, not more than 10.0 percent may be used for administrative costs to support the Oceans and Coastal Resources Council.

1934 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 3,567
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,515
FROM LAND ACQUISITION TRUST FUND 32,692

1934A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 175,546

1935 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,500,000

1936 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM GRANTS AND DONATIONS TRUST FUND . . . 843,000
FROM LAND ACQUISITION TRUST FUND 1,105,000

1937 FIXED CAPITAL OUTLAY
APALACHICOLA ENVIRONMENTAL LEARNING CENTER
FROM LAND ACQUISITION TRUST FUND 3,100,000

1938 FIXED CAPITAL OUTLAY
GUANA TOLOMATA MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE
FROM GRANTS AND DONATIONS TRUST FUND . . . 450,000
FROM LAND ACQUISITION TRUST FUND 450,000

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1939 FIXED CAPITAL OUTLAY
PARTNERSHIP IN COASTAL AQUATIC MANAGED AREAS (CAMA)
FROM LAND ACQUISITION TRUST FUND 200,000

TOTAL: COASTAL AND AQUATIC MANAGED AREAS
FROM GENERAL REVENUE FUND 4,300,000
FROM TRUST FUNDS 21,301,444

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 25,601,444

PROGRAM: AIR RESOURCES MANAGEMENT

AIR ASSESSMENT

APPROVED SALARY RATE 1,621,655

1940 SALARIES AND BENEFITS POSITIONS 34.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 2,035,803

1941 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 1,995,998

1942 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 913,014

1943 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 313,743

1944 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM AIR POLLUTION CONTROL TRUST FUND . . 30,000

1945 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,662,968

1946 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 1,000

1947 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 24,299

1948 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 13,970

TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 8,990,795

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 8,990,795

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 2,447,994

1949 SALARIES AND BENEFITS POSITIONS 51.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,094,286

1950 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,662,810

1951 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 522,771

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1952 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 73,937

1953 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,662,968

1954 SPECIAL CATEGORIES
ASBESTOS REMOVAL PROGRAM FEES
FROM AIR POLLUTION CONTROL TRUST FUND . . 150,000

1955 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 2,000

1956 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 24,196

1957 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 20,773

TOTAL: AIR POLLUTION PREVENTION
FROM TRUST FUNDS 11,213,741

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 11,213,741

UTILITIES SITING AND COORDINATION

APPROVED SALARY RATE 676,935

1958 SALARIES AND BENEFITS POSITIONS 13.00
FROM GRANTS AND DONATIONS TRUST FUND . . . 444,062
FROM PERMIT FEE TRUST FUND 375,710

1959 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,340

1960 EXPENSES
FROM GRANTS AND DONATIONS TRUST FUND . . . 279,319
FROM PERMIT FEE TRUST FUND 44,879

1961 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PERMIT FEE TRUST FUND 1,000

1964 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,095

1965 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,853
FROM PERMIT FEE TRUST FUND 2,414

1965A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 210,000

1966 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
UNITED STATES DEPARTMENT OF ENERGY SPECIAL PROJECTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,300,000

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TOTAL: UTILITIES SITING AND COORDINATION
FROM TRUST FUNDS 2,913,672

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 2,913,672

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

APPROVED SALARY RATE 3,210,852

1967 SALARIES AND BENEFITS POSITIONS 65.50
FROM GENERAL REVENUE FUND 3,082,202
FROM COASTAL PROTECTION TRUST FUND 747,269
FROM INLAND PROTECTION TRUST FUND 447,662

1968 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 120,000

1969 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 195,090
FROM INLAND PROTECTION TRUST FUND 825,097

1970 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 67,178

1971 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 201,350

1972 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 50,000

1973 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 17,558
FROM INLAND PROTECTION TRUST FUND 247,846

1974 SPECIAL CATEGORIES
OVERTIME
FROM COASTAL PROTECTION TRUST FUND 50,400
FROM INLAND PROTECTION TRUST FUND 50,400

1975 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 92,492
FROM INLAND PROTECTION TRUST FUND 114,413

1976 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM COASTAL PROTECTION TRUST FUND 21,465
FROM INLAND PROTECTION TRUST FUND 31,490

1977 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 20,187
FROM COASTAL PROTECTION TRUST FUND 4,894
FROM INLAND PROTECTION TRUST FUND 2,932

1977A SPECIAL CATEGORIES
TRANSFER RESOURCES TO FWCC FOR DERELICT VESSEL PROGRAM
FROM COASTAL PROTECTION TRUST FUND 250,000

1977B SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 252,213

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1978 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CLEAN MARINA
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,250,000

TOTAL: ENVIRONMENTAL INVESTIGATION
FROM GENERAL REVENUE FUND 3,194,881
FROM TRUST FUNDS 5,947,257

TOTAL POSITIONS 65.50
TOTAL ALL FUNDS 9,142,138

PATROL ON STATE LANDS

APPROVED SALARY RATE 3,865,039

1979 SALARIES AND BENEFITS POSITIONS 94.00
FROM LAND ACQUISITION TRUST FUND 5,500,995

1980 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 190,000

1981 EXPENSES
FROM LAND ACQUISITION TRUST FUND 255,021

1982 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 137,350

1983 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND 347,901

1984 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND 361,218

1985 SPECIAL CATEGORIES
OVERTIME
FROM LAND ACQUISITION TRUST FUND 115,550

1986 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND 258,876

1987 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM LAND ACQUISITION TRUST FUND 95,462

1988 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND 40,599

1988A SPECIAL CATEGORIES
GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 46,269

1988B SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 532,543

TOTAL: PATROL ON STATE LANDS
FROM TRUST FUNDS 7,881,784

TOTAL POSITIONS 94.00
TOTAL ALL FUNDS 7,881,784

SECTION 5
SPECIFIC
APPROPRIATION
EMERGENCY RESPONSE

APPROVED SALARY RATE 1,433,063

1989 SALARIES AND BENEFITS POSITIONS 28.00
FROM COASTAL PROTECTION TRUST FUND 1,244,378
FROM INLAND PROTECTION TRUST FUND 492,629

1990 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 205,411

1991 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 192,558
FROM INLAND PROTECTION TRUST FUND 57,821

1992 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 7,818

1993 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 88,594

1994 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM COASTAL PROTECTION TRUST FUND 1,071,027

1995 SPECIAL CATEGORIES
ON-CALL FEES
FROM COASTAL PROTECTION TRUST FUND 98,902

1996 SPECIAL CATEGORIES
PAYMENTS FOR RESTORATION AND DAMAGE
FROM COASTAL PROTECTION TRUST FUND 50,000

1997 SPECIAL CATEGORIES
ABANDONED DRUM REMOVAL AND DISPOSAL
FROM COASTAL PROTECTION TRUST FUND 150,000

1998 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 208,083

1999 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 284,759

2000 SPECIAL CATEGORIES
TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION
FROM COASTAL PROTECTION TRUST FUND 3,697,242

2001 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COASTAL PROTECTION TRUST FUND 8,587
FROM INLAND PROTECTION TRUST FUND 3,399

2001A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 643,638

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 8,504,846

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 8,504,846

SECTION 5
SPECIFIC
APPROPRIATION
FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

APPROVED SALARY RATE 9,004,289

2002	SALARIES AND BENEFITS POSITIONS	215.50	
	FROM GENERAL REVENUE FUND	2,174,009	
	FROM ADMINISTRATIVE TRUST FUND		6,654,486
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		573,955
	FROM NON-GAME WILDLIFE TRUST FUND		601,252
	FROM STATE GAME TRUST FUND		1,055,374
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		339,467
2003	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	28,625	
	FROM ADMINISTRATIVE TRUST FUND		1,904,435
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		191,000
	FROM NON-GAME WILDLIFE TRUST FUND		11,171
2004	EXPENSES		
	FROM GENERAL REVENUE FUND	102,187	
	FROM ADMINISTRATIVE TRUST FUND		2,053,753
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		237,011
	FROM NON-GAME WILDLIFE TRUST FUND		145,002
	FROM STATE GAME TRUST FUND		79,957
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,173
2005	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,000	
	FROM ADMINISTRATIVE TRUST FUND		161,182
	FROM NON-GAME WILDLIFE TRUST FUND		19,927
	FROM STATE GAME TRUST FUND		16,492
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		8,000
2006	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE GAME TRUST FUND		44,150
2006A	SPECIAL CATEGORIES		
	TROUT LAKE NATURE CENTER		
	FROM GENERAL REVENUE FUND	150,000	
2007	SPECIAL CATEGORIES		
	ENHANCED WILDLIFE MANAGEMENT		
	FROM ADMINISTRATIVE TRUST FUND		51,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		540,130
2008	SPECIAL CATEGORIES		
	NON-CARL WILDLIFE MANAGEMENT		
	FROM ADMINISTRATIVE TRUST FUND		98,000
	FROM STATE GAME TRUST FUND		75,205
2009	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND		9,955
2010	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	27,000	
	FROM ADMINISTRATIVE TRUST FUND		114,000
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		38,500
	FROM NON-GAME WILDLIFE TRUST FUND		22,448
	FROM STATE GAME TRUST FUND		500,000
2011	SPECIAL CATEGORIES		
	PAYMENT OF REWARDS		
	FROM ADMINISTRATIVE TRUST FUND		5,000
2012	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	14,520	
	FROM ADMINISTRATIVE TRUST FUND		62,845
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,561
	FROM NON-GAME WILDLIFE TRUST FUND		3,767
	FROM STATE GAME TRUST FUND		10,480
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,352
2013	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM ADMINISTRATIVE TRUST FUND		3,120
2014	SPECIAL CATEGORIES		
	INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION		
	FROM GENERAL REVENUE FUND	295,791	
	FROM ADMINISTRATIVE TRUST FUND		1,879,859
2015	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	17,470	
	FROM ADMINISTRATIVE TRUST FUND		44,613
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		8,108
	FROM NON-GAME WILDLIFE TRUST FUND		5,487
	FROM SAVE THE MANATEE TRUST FUND		425
	FROM STATE GAME TRUST FUND		11,968
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,954
2015A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS		
	FROM STATE GAME TRUST FUND		20,000
2016	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM FEDERAL GRANTS TRUST FUND		1,490,000
	FROM GRANTS AND DONATIONS TRUST FUND		207,000
2017	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM ADMINISTRATIVE TRUST FUND		45,898
TOTAL:	OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	2,829,602	
	FROM TRUST FUNDS		19,359,462
	TOTAL POSITIONS	215.50	
	TOTAL ALL FUNDS		22,189,064

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

APPROVED SALARY RATE 38,119,923

2018	SALARIES AND BENEFITS POSITIONS	901.50	
	FROM GENERAL REVENUE FUND	35,756,127	

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SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND		1,163,712
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		787,013
FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,967,115
FROM NON-GAME WILDLIFE TRUST FUND		90,657
FROM SAVE THE MANATEE TRUST FUND		179,844
FROM STATE GAME TRUST FUND		1,808,454
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,911,413
2019 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	104,210	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		236,348
FROM STATE GAME TRUST FUND		9,677
2020 EXPENSES		
FROM GENERAL REVENUE FUND	3,183,446	
FROM FEDERAL GRANTS TRUST FUND		4,874,173
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		213,423
FROM MARINE RESOURCES CONSERVATION TRUST FUND		624,007
FROM STATE GAME TRUST FUND		549,528
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		276,796
2021 OPERATING CAPITAL OUTLAY		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		208,386
FROM STATE GAME TRUST FUND		1,290
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		100,000
2022 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		45,510
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,570,915
FROM STATE GAME TRUST FUND		572,621
2023 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,520,245
2024 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		272,166
2025 SPECIAL CATEGORIES		
800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE		
FROM GENERAL REVENUE FUND	110,675	
FROM STATE GAME TRUST FUND		144,760
2026 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	404,582	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		5,173
FROM MARINE RESOURCES CONSERVATION TRUST FUND		309,058
FROM STATE GAME TRUST FUND		215,154
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		33,244
2027 SPECIAL CATEGORIES		
BOAT RAMP MAINTENANCE CATEGORY		

SECTION 5
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APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND		431,250
FROM MARINE RESOURCES CONSERVATION TRUST FUND		331,878
FROM STATE GAME TRUST FUND		143,750
2028 SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND	1,015,000	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,995,000
FROM STATE GAME TRUST FUND		125,447
2029 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	896,521	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		865
FROM MARINE RESOURCES CONSERVATION TRUST FUND		263,661
FROM NON-GAME WILDLIFE TRUST FUND		1,550
FROM SAVE THE MANATEE TRUST FUND		1,468
FROM STATE GAME TRUST FUND		54,533
2030 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	346,603	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		14,760
FROM MARINE RESOURCES CONSERVATION TRUST FUND		194,993
FROM STATE GAME TRUST FUND		57,540
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		20,160
2031 SPECIAL CATEGORIES		
BOATING AND WATERWAYS ACTIVITIES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,088,577
2032 SPECIAL CATEGORIES		
BOATING AND WATERWAYS GRANTS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		200,000
2032A SPECIAL CATEGORIES		
DERELICT VESSEL REMOVAL PROGRAM		
FROM GENERAL REVENUE FUND	3,000,000	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		250,000

From the funds in Specific Appropriation 2032A, not more than 5 percent may be used to cover administrative costs associated with implementing the derelict vessel removal program.

2033 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	254,270	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		9,152
FROM MARINE RESOURCES CONSERVATION TRUST FUND		81,280
FROM NON-GAME WILDLIFE TRUST FUND		645
FROM SAVE THE MANATEE TRUST FUND		3,057
FROM STATE GAME TRUST FUND		12,865
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		13,592
2033A SPECIAL CATEGORIES		
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS		
FROM STATE GAME TRUST FUND		100,000

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2034 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,334,182
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,665,043
FROM STATE GAME TRUST FUND 700,483

2035 SPECIAL CATEGORIES
BOATING SAFETY EDUCATION PROGRAM
FROM MARINE RESOURCES CONSERVATION TRUST FUND 550,000

2035A FIXED CAPITAL OUTLAY
HURRICANE RELIEF - MARINAS
FROM GENERAL REVENUE FUND 2,500,000

Funds from Specific Appropriation 2035A shall be used to provide grants to marinas that provide public access to waterways and suffered uninsured damages from named hurricanes during the 2005 hurricane season. Those marinas who have received no funding under this program but would otherwise meet eligibility criteria for damages suffered during the 2004 season, are also eligible for hurricane relief under this program. The Fish and Wildlife Conservation Commission will administer this program as jointly developed between the commission and the marina industry.

2036 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA BOATING IMPROVEMENT PROGRAM
FROM FEDERAL GRANTS TRUST FUND 1,180,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 3,108,291
FROM STATE GAME TRUST FUND 2,250,000

From the funds in Specific Appropriation 2036, $1,000,000 from the State Game Trust Fund is provided for the Escambia County Marine Multi-Use Facility, which may include land acquisition costs.

2036A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BELLAIR BAIT HOUSE REPLACEMENT
FROM MARINE RESOURCES CONSERVATION TRUST FUND 150,000

2036B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NORTH CAPE CORAL SPREADER WATERWAY - CEITUS BOAT LIFT
FROM GENERAL REVENUE FUND 250,000

TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 47,821,434
FROM TRUST FUNDS 46,024,704

TOTAL POSITIONS 901.50
TOTAL ALL FUNDS 93,846,138

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

APPROVED SALARY RATE 1,811,961

2037 SALARIES AND BENEFITS POSITIONS 45.00
FROM FEDERAL GRANTS TRUST FUND 509,122
FROM STATE GAME TRUST FUND 1,454,626
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 416,861

2038 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 55,000
FROM STATE GAME TRUST FUND 272,303

SECTION 5
SPECIFIC
APPROPRIATION

2039 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 292,800
FROM STATE GAME TRUST FUND 546,570
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,852

2040 OPERATING CAPITAL OUTLAY
FROM STATE GAME TRUST FUND 30,260

2041 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 48,015

2042 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 122,500

2043 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE GAME TRUST FUND 271,800

2043A SPECIAL CATEGORIES
TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION
FROM STATE GAME TRUST FUND 273,408

2044 SPECIAL CATEGORIES
PUBLIC DOVE FIELD DEVELOPMENT
FROM STATE GAME TRUST FUND 49,000

2045 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 111,105
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 19,155

2046 SPECIAL CATEGORIES
WILDLIFE MANAGEMENT AREA USER PAY
FROM STATE GAME TRUST FUND 638,266

2047 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM STATE GAME TRUST FUND 16,124
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 3,472

2048 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 462,934
FROM GRANTS AND DONATIONS TRUST FUND . . . 129,450
FROM STATE GAME TRUST FUND 30,000

2049 SPECIAL CATEGORIES
WILD TURKEY PROJECTS
FROM STATE GAME TRUST FUND 100,000

TOTAL: HUNTING AND GAME MANAGEMENT
FROM TRUST FUNDS 5,854,623

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 5,854,623

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

APPROVED SALARY RATE 11,905,068

2050 SALARIES AND BENEFITS POSITIONS 301.00
FROM GENERAL REVENUE FUND 23,268

SECTION 5
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND		2,327,194
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		205,155
FROM LAND ACQUISITION TRUST FUND		169,401
FROM MARINE RESOURCES CONSERVATION TRUST FUND		506,452
FROM NON-GAME WILDLIFE TRUST FUND		1,728,528
FROM SAVE THE MANATEE TRUST FUND		750,712
FROM STATE GAME TRUST FUND		4,763,063
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		4,714,440
2051 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,903	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		138,094
FROM LAND ACQUISITION TRUST FUND		121,350
FROM MARINE RESOURCES CONSERVATION TRUST FUND		121,000
FROM NON-GAME WILDLIFE TRUST FUND		207,191
FROM SAVE THE MANATEE TRUST FUND		176,047
FROM STATE GAME TRUST FUND		237,240
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		82,808
2052 EXPENSES		
FROM GENERAL REVENUE FUND	12,902	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		177,687
FROM LAND ACQUISITION TRUST FUND		89,140
FROM MARINE RESOURCES CONSERVATION TRUST FUND		97,263
FROM NON-GAME WILDLIFE TRUST FUND		630,681
FROM SAVE THE MANATEE TRUST FUND		302,874
FROM STATE GAME TRUST FUND		1,036,858
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,230,861
2053 AID TO LOCAL GOVERNMENTS		
MANATEE PROTECTION PLANNING GRANTS		
FROM SAVE THE MANATEE TRUST FUND		68,185
2054 OPERATING CAPITAL OUTLAY		
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		2,500
FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,000
FROM NON-GAME WILDLIFE TRUST FUND		30,464
FROM SAVE THE MANATEE TRUST FUND		13,800
FROM STATE GAME TRUST FUND		105,004
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		17,000
2055 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM NON-GAME WILDLIFE TRUST FUND		43,397
FROM STATE GAME TRUST FUND		143,966
2056 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM STATE GAME TRUST FUND		38,854
2057 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		5,543,778
2058 SPECIAL CATEGORIES		
NON-CARL WILDLIFE MANAGEMENT		
FROM STATE GAME TRUST FUND		8,854,899
2059 SPECIAL CATEGORIES		
CONTRACTED SERVICES		

SECTION 5
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APPROPRIATION

FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		22,013
FROM LAND ACQUISITION TRUST FUND		37,731
FROM MARINE RESOURCES CONSERVATION TRUST FUND		84
FROM NON-GAME WILDLIFE TRUST FUND		42,116
FROM SAVE THE MANATEE TRUST FUND		21,864
FROM STATE GAME TRUST FUND		144,493
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		71,485
2060 SPECIAL CATEGORIES		
LAKE RESTORATION		
FROM STATE GAME TRUST FUND		10,138,454
2061 SPECIAL CATEGORIES		
GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6		
FROM FEDERAL GRANTS TRUST FUND		1,146,332
2062 SPECIAL CATEGORIES		
LAND MANAGEMENT/SAVE OUR RIVERS		
FROM STATE GAME TRUST FUND		297,874
2063 SPECIAL CATEGORIES		
MARINE RESEARCH GRANTS		
FROM FEDERAL GRANTS TRUST FUND		27,500
2064 SPECIAL CATEGORIES		
DUCKS UNLIMITED MARSH PROJECT		
FROM STATE GAME TRUST FUND		106,272
2065 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		852
FROM LAND ACQUISITION TRUST FUND		938
FROM MARINE RESOURCES CONSERVATION TRUST FUND		305
FROM NON-GAME WILDLIFE TRUST FUND		7,733
FROM SAVE THE MANATEE TRUST FUND		2,628
FROM STATE GAME TRUST FUND		32,404
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		19,826
2066 SPECIAL CATEGORIES		
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		2,375,000
2067 SPECIAL CATEGORIES		
HABITAT RESTORATION		
FROM LAND ACQUISITION TRUST FUND		570,000
2068 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	217	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		1,913
FROM LAND ACQUISITION TRUST FUND		1,580
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,927
FROM NON-GAME WILDLIFE TRUST FUND		19,017
FROM SAVE THE MANATEE TRUST FUND		7,001
FROM STATE GAME TRUST FUND		64,986
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		43,967
2069 SPECIAL CATEGORIES		
HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		2,500,000

SECTION 5
SPECIFIC
APPROPRIATION

2069A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM STATE GAME TRUST FUND 400,000

2070 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 4,066,339
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,254,805
FROM NON-GAME WILDLIFE TRUST FUND 91,652
FROM STATE GAME TRUST FUND 164,755

2071 FIXED CAPITAL OUTLAY
MAJOR REPAIRS OR IMPROVEMENTS STATEWIDE
FROM STATE GAME TRUST FUND 119,500

2072 FIXED CAPITAL OUTLAY
MODULAR OFFICES
FROM STATE GAME TRUST FUND 280,000

2073 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 4,500,000

2074 FIXED CAPITAL OUTLAY
MITIGATION PARK LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 10,000,000

2075 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - FRESHWATER AQUATIC HABITAT ENHANCEMENT AND RESTORATION
FROM STATE GAME TRUST FUND 4,500,000

TOTAL: HABITAT AND SPECIES CONSERVATION
FROM GENERAL REVENUE FUND 39,290
FROM TRUST FUNDS 79,769,232

TOTAL POSITIONS 301.00
TOTAL ALL FUNDS 79,808,522

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

APPROVED SALARY RATE 2,696,348

2076 SALARIES AND BENEFITS POSITIONS 69.50
FROM GENERAL REVENUE FUND 14,003
FROM FEDERAL GRANTS TRUST FUND 1,857,053
FROM STATE GAME TRUST FUND 1,460,742
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 120,009

2077 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 40,134
FROM STATE GAME TRUST FUND 27,120

2078 EXPENSES
FROM GENERAL REVENUE FUND 18,064
FROM FEDERAL GRANTS TRUST FUND 392,532
FROM STATE GAME TRUST FUND 348,226
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 20,000

2079 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 15,000
FROM STATE GAME TRUST FUND 52,822
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 25,000

SECTION 5
SPECIFIC
APPROPRIATION

2080 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE GAME TRUST FUND 94,460

2081 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM FEDERAL GRANTS TRUST FUND 33,425
FROM STATE GAME TRUST FUND 11,142

2082 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 68,635

2083 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 31,056
FROM STATE GAME TRUST FUND 41,717

2084 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 1,045,000

2085 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 75,817
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,994

2086 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 119
FROM STATE GAME TRUST FUND 28,297
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,024

2087 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,045,500

TOTAL: FRESHWATER FISHERIES MANAGEMENT
FROM GENERAL REVENUE FUND 32,186
FROM TRUST FUNDS 6,837,705

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 6,869,891

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

APPROVED SALARY RATE 1,218,316

2088 SALARIES AND BENEFITS POSITIONS 26.00
FROM GENERAL REVENUE FUND 81,067
FROM FEDERAL GRANTS TRUST FUND 292,198
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,261,908

2089 OTHER PERSONAL SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 196,318

2090 EXPENSES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 354,128

2090A OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION TRUST FUND 846

SECTION 5
SPECIFIC
APPROPRIATION

2091	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND		38,500
2092	SPECIAL CATEGORIES AQUATIC RESOURCES EDUCATION FROM MARINE RESOURCES CONSERVATION TRUST FUND		341,599
2093	SPECIAL CATEGORIES CONTRACTED SERVICES FROM MARINE RESOURCES CONSERVATION TRUST FUND		84,000
2094	SPECIAL CATEGORIES GULF STATES MARINE FISHERIES FROM MARINE RESOURCES CONSERVATION TRUST FUND		22,500
2095	SPECIAL CATEGORIES MARINE RESEARCH GRANTS FROM FEDERAL GRANTS TRUST FUND		575,313
2096	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	724	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,141
2096A	SPECIAL CATEGORIES TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION FROM GENERAL REVENUE FUND	1,220,646	
2097	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	541	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,378
2098	SPECIAL CATEGORIES FISHERIES DISASTER RELIEF PROGRAM - MONROE COUNTY - HURRICANE GEORGES AND TROPICAL STORM MITCH FROM FEDERAL GRANTS TRUST FUND		184,544
2099	SPECIAL CATEGORIES FEDERAL FISHERIES DISASTER ASSISTANCE PROGRAMS FROM FEDERAL GRANTS TRUST FUND		100,000
2100	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND		200,000
2101	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM FROM FEDERAL GRANTS TRUST FUND		400,000
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		550,000
TOTAL:	MARINE FISHERIES MANAGEMENT FROM GENERAL REVENUE FUND	1,302,978	
	FROM TRUST FUNDS		4,622,373
	TOTAL POSITIONS	26.00	
	TOTAL ALL FUNDS		5,925,351

SECTION 5
SPECIFIC
APPROPRIATION
PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 13,319,913

2102	SALARIES AND BENEFITS POSITIONS 317.00 FROM GENERAL REVENUE FUND	3,489,936	
	FROM FEDERAL GRANTS TRUST FUND		2,121,255
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		174,042
	FROM GRANTS AND DONATIONS TRUST FUND . . .		196,726
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		5,753,801
	FROM NON-GAME WILDLIFE TRUST FUND		1,122,585
	FROM SAVE THE MANATEE TRUST FUND		859,165
	FROM STATE GAME TRUST FUND		2,774,144
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		148,264
2103	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	856,000	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		60,867
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,671,475
	FROM NON-GAME WILDLIFE TRUST FUND		602,737
	FROM SAVE THE MANATEE TRUST FUND		735,000
	FROM STATE GAME TRUST FUND		108,693
2104	EXPENSES FROM GENERAL REVENUE FUND	570,375	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		83,958
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,818,958
	FROM NON-GAME WILDLIFE TRUST FUND		394,027
	FROM SAVE THE MANATEE TRUST FUND		426,104
	FROM STATE GAME TRUST FUND		476,695
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		4,114
2104A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS-HARBOR BRANCH OCEANOGRAPHIC INSTITUTE FROM GENERAL REVENUE FUND	2,050,000	
2105	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	29,740	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		225,566
	FROM NON-GAME WILDLIFE TRUST FUND		11,736
	FROM SAVE THE MANATEE TRUST FUND		13,000
	FROM STATE GAME TRUST FUND		57,068
2106	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM MARINE RESOURCES CONSERVATION TRUST FUND		73,800
	FROM NON-GAME WILDLIFE TRUST FUND		102,879
	FROM STATE GAME TRUST FUND		72,385
2107	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM MARINE RESOURCES CONSERVATION TRUST FUND		173,319
	FROM NON-GAME WILDLIFE TRUST FUND		52,830
	FROM SAVE THE MANATEE TRUST FUND		7,967
	FROM STATE GAME TRUST FUND		138,782
2107A	SPECIAL CATEGORIES FISH AND WILDLIFE CONSERVATION COMMISSION GRANTS PROGRAM FROM GENERAL REVENUE FUND	2,975,000	

SECTION 5
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APPROPRIATION

2108 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 89,435

2109 SPECIAL CATEGORIES
MANATEE RESEARCH - MANATEE AVOIDANCE TECHNOLOGY
FROM MARINE RESOURCES CONSERVATION TRUST FUND 200,000

2110 SPECIAL CATEGORIES
REEF GROUNDING SETTLEMENT
FROM MARINE RESOURCES CONSERVATION TRUST FUND 41,912

2111 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM GENERAL REVENUE FUND 300,000
FROM FEDERAL GRANTS TRUST FUND 5,464,933
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,193,760
FROM MARINE RESOURCES CONSERVATION TRUST FUND 3,856,437

From the funds in Specific Appropriation 2111, $300,000 from the General Revenue Fund is provided for the Coastal Marine Research Partnership at the Smithsonian Marine Station.

2112 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 28,197
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,785
FROM MARINE RESOURCES CONSERVATION TRUST FUND 95,622
FROM NON-GAME WILDLIFE TRUST FUND 12,026
FROM SAVE THE MANATEE TRUST FUND 10,351
FROM STATE GAME TRUST FUND 58,197
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,723

2113 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 33,239
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,658
FROM MARINE RESOURCES CONSERVATION TRUST FUND 78,275
FROM NON-GAME WILDLIFE TRUST FUND 10,692
FROM SAVE THE MANATEE TRUST FUND 8,183
FROM STATE GAME TRUST FUND 25,023
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,412

2113A SPECIAL CATEGORIES
HARMFUL ALGAL BLOOM
FROM STATE GAME TRUST FUND 150,000

2114 SPECIAL CATEGORIES
RED TIDE RESEARCH
FROM GENERAL REVENUE FUND 4,014,499

2114A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM STATE GAME TRUST FUND 2,750,000

2115 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 150,000
FROM NON-GAME WILDLIFE TRUST FUND 190,112
FROM STATE GAME TRUST FUND 700,000

SECTION 5
SPECIFIC
APPROPRIATION

2116A FIXED CAPITAL OUTLAY
CONSTRUCT/REPAIR MARINE FISH HATCHERIES
FROM GENERAL REVENUE FUND 2,000,000

2116B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HUBBS-SEAWORLD RESEARCH INSTITUTE - MARINE RESEARCH LABORATORY
FROM GENERAL REVENUE FUND 610,000

2117 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FISH AND WILDLIFE RESEARCH INSTITUTE - JACKSONVILLE
FROM GENERAL REVENUE FUND 1,500,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 18,456,986
FROM TRUST FUNDS 39,553,478

TOTAL POSITIONS 317.00
TOTAL ALL FUNDS 58,010,464

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 2126 through 2140, 2156 through 2158, 2160, 2162 through 2166, 2169 through 2178, and 2215 through 2227 are provided from the named funds to the department to fund the five-year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

APPROVED SALARY RATE 99,103,481

2118 SALARIES AND BENEFITS POSITIONS 1,803.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 124,535,750
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 834,047

2119 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 925,246
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 40,000

2120 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 8,297,526
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 336,025

2121 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,436,214
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 10,000

2122 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,916,342

2123 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,764,641
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 308,000

SECTION 5
SPECIFIC
APPROPRIATION

2124 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,271,969

2125 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 198,500

2125A SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED
FROM TRANSPORTATION DISADVANTAGED TRUST
FUND 39,534,276

2125B SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED - MEDICAID SERVICES
FROM TRANSPORTATION DISADVANTAGED TRUST
FUND 72,939,505

2126 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 62,204,312

2127 FIXED CAPITAL OUTLAY
AVIATION DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 172,131,823

The Legislature recognizes the health of Florida's economy depends significantly on the efficient and secure operation of this state's commercial service airports; therefore, the department is directed to prepare a five-year funding implementation plan to install in-line checked baggage explosive detection systems at those commercial service airports designated as Strategic Intermodal System facilities by the department. The department shall submit the plan to the Governor, Speaker of the House of Representatives and the President of the Senate by January 1, 2007.

2128 FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 309,975,751

2129 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 422,971,431
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 189,536,836

2130 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 15,000,000

2131 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,000,000

2132 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 30,815,000

From the funds in Specific Appropriation 2132, $9,200,000 is provided for the statewide Seaport Economic Development/Dredging Grant program pursuant to section 311.22, Florida Statutes.

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SPECIFIC
APPROPRIATION

2133 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 181,402,176

2134 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 237,294,586

2137 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 546,196,283
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 150,000

2138 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 62,931,830
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 3,236,496

2139 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 32,098,614

2140 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 30,202,435
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 120,622,000

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS 2683,117,614

TOTAL POSITIONS 1,803.00
TOTAL ALL FUNDS 2683,117,614

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE 170,525,582

2141 SALARIES AND BENEFITS POSITIONS 4,162.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 218,084,858

2142 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,016,437

2143 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,260,656

2144 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,710,111

2145 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,644,000

2146 SPECIAL CATEGORIES
FAIRBANKS HAZARDOUS WASTE SITE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 180,600

SECTION 5
SPECIFIC
APPROPRIATION

2147 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,510,047

2148 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,140,515

2149 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,000,773

2150 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,729,903

2151 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 218,240

2152 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 28,331,983

2153 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 805,164

2154 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,358

2155 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,452,652

2156 FIXED CAPITAL OUTLAY
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,241,000

2157 FIXED CAPITAL OUTLAY
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM
(SCRAP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,000,000

2158 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 45,465,081

2159 FIXED CAPITAL OUTLAY
UNDERGROUND STORAGE TANK PROGRAM -
STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 550,000

2160 FIXED CAPITAL OUTLAY
COUNTY TRANSPORTATION PROGRAMS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 46,502,057

SECTION 5
SPECIFIC
APPROPRIATION

2161 FIXED CAPITAL OUTLAY
CONSTRUCTION - SARASOTA MAINTENANCE YARD
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 350,000

2162 FIXED CAPITAL OUTLAY
BOND GUARANTEE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 500,000

2163 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 253,508,941

From the funds in Specific Appropriation 2163, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is prohibited from expending funds from any specific appropriation or from any other source except Specific Appropriation 2163 for contracts with non-profit youth organizations in Florida to perform work on the state highway system. The department is specifically limited to an expenditure level of $600,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express Legislative authority.

The department is prohibited from expending funds from any specific appropriation or from any other source for payments to the Florida Youth Conservation Corps or the Youth Development Corps to perform work on the state highway system. The department shall not supplement these funds from any source in the absence of express legislative authority.

2164 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1081,072,905

2165 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1331,835,103

2166 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 315,049,165
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 5,169,538

2167 FIXED CAPITAL OUTLAY
REPAIR/RENOVATION/ADDITION - COCOA
MAINTENANCE YARD
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 412,642

2168 FIXED CAPITAL OUTLAY
ENVIRONMENTAL SITE RESTORATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,285,000

2169 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 83,907,826

SECTION 5
SPECIFIC
APPROPRIATION

2170 FIXED CAPITAL OUTLAY
RESURFACING
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 823,613,943

2171 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 268,384,124
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 55,319,261

2172 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 16,515,000

2172A FIXED CAPITAL OUTLAY
HIGHWAY BEAUTIFICATION GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,000,000

2173 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TRANSPORTATION
EXPRESSWAY AUTHORITIES
FROM TOLL FACILITIES REVOLVING TRUST
FUND 36,980,000

From funds provided in Specific Appropriation 2173, $3,000,000 is provided to pay administrative expenses for the Northwest Florida Transportation Corridor Authority, created in Part IV of chapter 343, Florida Statutes. The administrative expenses shall be in accordance with applicable laws and in the furtherance of the duties and responsibilities of the Authority in the development of improvements to the State Highway System.

2174 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 12,039,000

2175 FIXED CAPITAL OUTLAY
TRANSFER TO EXEC OFFICE OF THE GOVERNOR,
OFFICE OF TOURISM, TRADE & ECONOMIC
DEVELOPMENT FOR TRANSPORTATION PROJECTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 15,250,000

The funds in Specific Appropriation 2175 shall not be transferred to the Economic Development Transportation Trust Fund until the Office of Tourism, Trade and Economic Development certifies that the transfer of funds is required to fulfill project commitments. The Department of Transportation may utilize any interest and temporarily use any balance of such funds for ongoing Department of Transportation expenditures until the transfer of funds is necessary.

2176 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,826,000

2177 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 34,585,580

2178 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 47,124,502

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS 4834,574,965

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 4,162.00
TOTAL ALL FUNDS 4834,574,965

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 39,995,919

2179 SALARIES AND BENEFITS POSITIONS 805.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 51,022,231

2180 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,227,160

2181 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,697,702

2182 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 323,991

2183 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 144,591

2184 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,502,810

2185 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,661,782

2186 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 215,852

2187 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 111,820

2188 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,004,574

2189 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE - OTHER
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,188,903

2190 SPECIAL CATEGORIES
TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT
DISTRICT FOR EVERGLADES RESTORATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,000,000

2191 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE FOR
HIGHWAY TAX COMPLIANCE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 200,000

2192 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 5
SPECIFIC
APPROPRIATION

SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,050,537
FROM TRANSPORTATION DISADVANTAGED TRUST
FUND 5,814

2193 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,834,793

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 88,192,560

TOTAL POSITIONS 805.00
TOTAL ALL FUNDS 88,192,560

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 12,736,300

2194 SALARIES AND BENEFITS POSITIONS 283.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 16,411,487

2195 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 100,000

2196 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 12,452,757

2197 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 5,029,728

2198 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,925,000

2199 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 6,871,731

2200 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 69,003

2201 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 76,480

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 42,936,186

TOTAL POSITIONS 283.00
TOTAL ALL FUNDS 42,936,186

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE 21,772,392

2202 SALARIES AND BENEFITS POSITIONS 494.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 27,760,297

SECTION 5
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2203 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,239,952

2204 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 28,639,749

2205 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 679,604

2206 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 338,447

2207 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,550,507

2208 SPECIAL CATEGORIES
TOLL OPERATION CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 69,206,102

2209 SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 8,798,451

2210 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,088,646

2211 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 250,245

2212 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 200,000

2213 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,607,612

2214 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 327,532

2215 FIXED CAPITAL OUTLAY
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 15,000,000

2216 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 39,831,263

2217 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 9,064,109
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 742,598,475
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 150,000

SECTION 5
SPECIFIC
APPROPRIATION

2218 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,000,000

2219 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 7,627,791
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 95,698,723
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 50,000

2220 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 35,436,586

2221 FIXED CAPITAL OUTLAY
RESURFACING
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 87,130,442

2222 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 3,851,179

2223 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 9,584,644
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 127,126,600
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 20,044,965

2224 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 1,863,500

2226 FIXED CAPITAL OUTLAY
TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 78,598,461

2227 FIXED CAPITAL OUTLAY
TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 34,210,234

TOTAL: FLORIDA'S TURNPIKE ENTERPRISE
FROM TRUST FUNDS 1468,554,116

TOTAL POSITIONS 494.00
TOTAL ALL FUNDS 1468,554,116

TOTAL OF SECTION 5 POSITIONS 17,206.25

FROM GENERAL REVENUE FUND 553,569,778

FROM TRUST FUNDS 14018,685,879

TOTAL ALL FUNDS 14572,255,657

SECTION 6 - GENERAL GOVERNMENT

The monies contained herein are appropriated from the named funds to Administered Funds, Agency for Workforce Innovation, Department of Business and Professional Regulation, Department of Citrus, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: ADMINISTERED FUNDS

2227A LUMP SUM
HURRICANE RELIEF FUNDING
FROM GENERAL REVENUE FUND 10,069,000
FROM TRUST FUNDS 25,000,000

Funds in Specific Appropriation 2227A are provided for the following projects:

Saddlebag Lake Resort Sewer Project Phase I - Polk.....	500,000
Hendry County Fairgrounds.....	200,000
Town Hall Hurricane Hardening - SW Ranches.....	300,000
Main Street Water Treatment Plant.....	4,000,000
Special and General Purpose Shelter - Chattahoochee.....	750,000
Primrose Center Capital Improvement - Orange County.....	627,000
Charlotte County Airport Authority.....	500,000
Charlotte County Courthouse Restoration.....	1,000,000
Village of Biscayne Park - Equipment & Repairs.....	100,000
Mobile Command/Communications - City of Hollywood.....	250,000
Emergency Generator - Miami Springs Senior Center.....	57,000
EOC - Jackson County.....	350,000
Gritney Emergency - Holmes County.....	50,000
Prosperity Emergency - Holmes County.....	50,000
Liberty County Special Needs Shelter.....	100,000
Richardson Historic Park Structural Repairs.....	185,000
Okaloosa County EOC Move.....	1,000,000
Pace Phase II Storm Shelter.....	50,000
Hurricane Relief for Hospitals (Social Services Block Grant Funds).....	25,000,000

Funds provided for Hurricane Relief for Hospitals shall be distributed to the Agency for Health Care Administration in a Qualified Expenditure Appropriation Category.

2228 LUMP SUM
STATE BUILDING RENTAL INCREASE
FROM GENERAL REVENUE FUND 1,222,281
FROM TRUST FUNDS 1,222,281

2229 LUMP SUM
SALARY INCREASES
FROM GENERAL REVENUE FUND 152,158,386
FROM TRUST FUNDS 64,755,861

2230A LUMP SUM
STATE HEALTH INSURANCE TRUST FUND
DEFICIENCY
FROM GENERAL REVENUE FUND 18,043,340
FROM TRUST FUNDS 9,434,024

2231 LUMP SUM
EXECUTIVE AIRCRAFT POOL SUBSCRIPTIONS
FROM GENERAL REVENUE FUND 1,480,864
FROM TRUST FUNDS 300,000

2232 LUMP SUM
HUMAN RESOURCES OUTSOURCING CONTINGENCY
FROM GENERAL REVENUE FUND 300,000

2233A LUMP SUM
STRENGTHENING DOMESTIC SECURITY
FROM TRUST FUNDS 230,061,772

Funds provided in Specific Appropriation 2233A are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for individual projects as indicated in the Fiscal Year 2006-2007 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with the approval of the Legislative Budget Commission.

SECTION 6
SPECIFIC
APPROPRIATION

From funds in Specific Appropriation 2233A, $64,151,547 is provided for the State Homeland Security Grant Program and shall be distributed as follows:

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
State Agricultural Response Team (SART) Sustainment	225,750
Biological Laboratory Equipment	209,900
All Risk/All Discipline Incident Management Teams	424,596
Geospatial Portal/Data Integration Initiative	682,500
State Agricultural Response Team (SART) Build-Out	249,900
DEPARTMENT OF EDUCATION	
K-20 Communications	2,200,000
K-12 Access Control	2,600,000
Higher Ed Preparedness Assistance	387,520
DEPARTMENT OF COMMUNITY AFFAIRS	
Sustain RDSTF Planners (Shared between DEM and FDLE)	1,200,000
Sustain Planning, Training and Exercises - State	2,958,500
Sustain Planning, Training and Exercises - Local	3,350,000
Maintenance and Sustainment of EDICS Units	207,240
Video Teleconferencing (VTC) System	48,000
Sustainment and Maintenance of SEOC Mapper	250,000
Regional Project Completion Funds (Shared between Agencies)	4,550,000
EOC Improvements	2,345,000
Continuation of Statewide Public Awareness Campaign	750,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
DEP Planning Funds	50,000
DEPARTMENT OF HEALTH	
Personal Protective Equipment (PPE) Sust/Maint	475,000
First Responder Chemical Antidote Cache Maintenance	1,000,000
MCI Cache	115,000
Enhancement of Radiological Response and Capabilities	308,040
Hospital Surge Capacity Conversion of Existing Non-clinical Space	700,000
FEMORS Deployable Portable Morgue Unit X-Ray	220,000
Security/Target Hardening Maintenance	1,050,000
Regional Training Cache	1,033,000
DEPARTMENT OF MILITARY AFFAIRS	
Florida National Guard Mobile Operations Center Systems Maintenance	7,200
FISH AND WILDLIFE CONSERVATION COMMISSION	
Waterborne Teams	1,500,000
Underwater Sonar Devices	280,000
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES	
Florida Public Entity Seaport Security Terror Threat Protection	1,488,000
Fingerprint Capability on DHSMV Flowmobiles	125,000
DEPARTMENT OF FINANCIAL SERVICES	
Sustainment Funds for USAR and HazMat Teams	1,239,046
Urban Search and Rescue/Hazardous Materials Training	3,000,000
Maintenance and Sustainment of Mutual Aid Radio Cache (MARC) Units	176,840
Urban Search and Rescue/Hazardous Materials Planning	54,000
Basic Search and Rescue Training	250,000
Critical Needs for USAR and HazMat/WMD	805,000
Enhance Self-Sufficiency of Specialty Teams (Shared between Agencies)	1,355,000
Equipment Enhancement for USAR and WMD/HazMat	1,600,000
Advanced Chemical Detection for Regional HazMat Teams	541,352
Biological Isolation Analysis Chamber	499,500
Enhanced Detection Equipment	1,690,000
DEPARTMENT OF LAW ENFORCEMENT	
Sustainment of Specialty Teams	595,072
MARAD Certified Security Training	150,000
PIO Team Sustainment	250,000
Specialty Teams	5,603,327
Forensic Teams	818,151
Primary Movers for Mobile Joint Information Center (JIC)	227,000
2 Additional Tac Paks per Region	221,200
DEPARTMENT OF MANAGEMENT SERVICES	
Maintenance and Sustainment of FL Interoperability Network	6,110,578
Continuation of Mobile Command Vehicle Common Radio Package	894,500
Transportable Radio Systems	3,900,000
Regional Portable Radio Caches	3,180,835

SECTION 6
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APPROPRIATION

Funds provided for the Geospatial Portal/Data Integration Initiative shall be distributed to a Qualified Expenditure Appropriation Category in the Department of Agriculture and Consumer Services and funds provided for Maintenance and Sustainment of FL Interoperability Network shall be distributed to a Qualified Expenditure Appropriation Category in the Department of Management Services.

From funds in Specific Appropriation 2233A, $19,279,862 is provided for the Law Enforcement Terrorism Prevention Program for distribution as follows:

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
Vehicle and Cargo Inspection Systems(VACIS)	400,000
Maintenance Contract for Time Lapse Video Monitoring Equipment	42,000
Time Lapse Video Monitoring of Agriculture Interdiction stations	716,800
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES	
Counterfeit document detection software/hardware	261,440
DEPARTMENT OF LAW ENFORCEMENT	
Statewide Connectivity for the Regional Data Sharing Projects -Sust/Maint	2,105,000
ThreatNet Module Licensing Costs	50,000
Analyst Notebook/software maintenance fees	33,960
ThreatCom Licensing Costs	67,412
Law Enforcement Analyst Academies	211,223
Florida Critical Infrastructure Database	32,000
RDSTF LE Investigative & Intelligence Workshops	350,000
Maintenance of Secure Briefing Room for OSI	8,600
Under Vehicle Surveillance	10,500
Statewide Connectivity for the Regional Data Sharing Projects - Build-Out	3,984,160
Regional Critical Infrastructure Coordinators	600,000
Critical Infrastructure Assessments	3,900,000
Regional Meta Data Managers	800,000
Threat Detection Equipment	227,000
Cyber Incident Response Workshops	250,000
Digital Sandbox	1,562,332
Law Enforcement Query Tool	1,000,000
Browser based FCIC/NCIC Validation Software	218,750
Basic Law Enforcement Analyst Training and Computer Applications & Analytical Techniques Training	125,000
ThreatNet Enhancements	60,000
ISYS	4,600
Multi-Agency Automatic Plate Recognition	245,655
Statewide Connectivity for the Regional Data Sharing Projects - New	350,000
Mobile Fingerprint Readers for RDSTF	300,000
DEPARTMENT OF TRANSPORTATION	
Additional Desert Snow Training	563,430
Video Monitoring for DOT Weigh Stations	800,000

From funds in Specific Appropriation 2233A, $9,856,294 is provided to the Department of Community Affairs for distribution as follows:

Citizen Corps (CC)	825,770
Emergency Management Performance Grant	7,404,214
Metropolitan Medical Response System	1,626,310

From funds in Specific Appropriation 2233A, $136,774,069 is provided to the Department of Community Affairs for the Urban Area Security Initiative (UASI) grant. Funding is contingent on federal funds being awarded for distribution to the following communities:

Miami	34,715,175
Orlando	28,656,655
Jacksonville	18,498,464
Orlando	21,618,950
Ft. Lauderdale	33,284,825

2234 LUMP SUM
RETIREMENT ADJUSTMENT

FROM GENERAL REVENUE FUND	87,210,197	
FROM TRUST FUNDS		48,397,649

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2235 LUMP SUM
TRANSITION ASSISTANCE
FROM GENERAL REVENUE FUND 2,500,000

2238A LUMP SUM
STATE MATCH FOR FEDERAL FEMA FUNDING
FROM GENERAL REVENUE FUND 113,000,000

Funds in Specific Appropriation 2238A are provided to match funds provided by the Federal Emergency Management Agency (FEMA) for federally declared disasters. Funds shall be transferred to the Department of Community Affairs as needed for cash flow purposes upon receipt of a distribution plan pursuant to section 216.181, Florida Statutes.

2239 SPECIAL CATEGORIES
ASSOCIATION DUES
FROM GENERAL REVENUE FUND 182,170

2240 SPECIAL CATEGORIES
DEFICIENCY
FROM GENERAL REVENUE FUND 400,000

2241 SPECIAL CATEGORIES
EMERGENCY
FROM GENERAL REVENUE FUND 250,000

2242 SPECIAL CATEGORIES
FLORIDA LAND AND WATER ADJUDICATORY
COMMISSION - ADMINISTRATIVE APPEALS
FROM GENERAL REVENUE FUND 4,756

2243 SPECIAL CATEGORIES
TRANSFER TO PLANNING AND BUDGETING SYSTEM
TRUST FUND
FROM GENERAL REVENUE FUND 5,099,700

2243A QUALIFIED EXPENDITURE CATEGORY
INFORMATION TECHNOLOGY (IT) OPTIMIZATION
FROM GENERAL REVENUE FUND 1,257,000

TOTAL: PROGRAM: ADMINISTERED FUNDS
FROM GENERAL REVENUE FUND 393,177,694
FROM TRUST FUNDS 379,171,587

TOTAL ALL FUNDS 772,349,281

AGENCY FOR WORKFORCE INNOVATION

From the funds in Specific Appropriations 2244 through 2310, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations 2244 through 2310, no funds shall be used to pay for space being leased by the Agency for Workforce Innovation or a Regional Workforce Board if it has been determined that there is no longer a need for the leased space.

SECTION 6
SPECIFIC
APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

APPROVED SALARY RATE 2,689,732

2244 SALARIES AND BENEFITS POSITIONS 46.00
FROM GENERAL REVENUE FUND 303,351
FROM ADMINISTRATIVE TRUST FUND 3,500,432
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 171,334

2245 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 20,000

2246 EXPENSES
FROM GENERAL REVENUE FUND 33,390
FROM ADMINISTRATIVE TRUST FUND 816,036
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 55,071

2247 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,600
FROM ADMINISTRATIVE TRUST FUND 23,463

2248 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 125,000
FROM ADMINISTRATIVE TRUST FUND 30,000

2249 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 236
FROM ADMINISTRATIVE TRUST FUND 16,792
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 867

2250 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,413
FROM ADMINISTRATIVE TRUST FUND 16,303
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 798

TOTAL: EXECUTIVE LEADERSHIP
FROM GENERAL REVENUE FUND 466,990
FROM TRUST FUNDS 4,651,096

TOTAL POSITIONS 46.00
TOTAL ALL FUNDS 5,118,086

AGENCY SUPPORT SERVICES

APPROVED SALARY RATE 8,294,791

2251 SALARIES AND BENEFITS POSITIONS 162.50
FROM GENERAL REVENUE FUND 408,536
FROM ADMINISTRATIVE TRUST FUND 5,306,845
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 474,279
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 4,218,384
FROM REVOLVING TRUST FUND 875,757

2252 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 270,295
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 86,149
FROM REVOLVING TRUST FUND 706,181

SECTION 6
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APPROPRIATION

2253	EXPENSES		
	FROM GENERAL REVENUE FUND	433,150	
	FROM ADMINISTRATIVE TRUST FUND		1,005,494
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		90,141
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		1,318,619
	FROM REVOLVING TRUST FUND		1,699,505
2254	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,600	
	FROM ADMINISTRATIVE TRUST FUND		72,029
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		421,470
2255	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND		948
2256	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		1,100,000
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		170,000
	FROM REVOLVING TRUST FUND		100,000
2257	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	300,000	
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		300,000
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		3,415,210
2258	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	521	
	FROM ADMINISTRATIVE TRUST FUND		55,147
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		2,467
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		26,641
	FROM REVOLVING TRUST FUND		15,110
2259	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	2,515	
	FROM ADMINISTRATIVE TRUST FUND		32,671
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		2,920
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		18,588
	FROM REVOLVING TRUST FUND		8,967
2260	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM ADMINISTRATIVE TRUST FUND		399,522
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		562,800
2261	FIXED CAPITAL OUTLAY		
	REED ACT BUILDINGS PROJECTS - STATEWIDE		
	FROM REVOLVING TRUST FUND		1,113,000
2262	FIXED CAPITAL OUTLAY		
	DEBT SERVICE		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		36,750
	FROM REVOLVING TRUST FUND		336,508

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TOTAL: AGENCY SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	1,148,322	
	FROM TRUST FUNDS		24,242,397
	TOTAL POSITIONS	162.50	
	TOTAL ALL FUNDS		25,390,719

PROGRAM: WORKFORCE SERVICES

PROGRAM SUPPORT

It is the intent of the Legislature that the administration and delivery of workforce services and programs that are currently provided by agency employees working in One Stop Career Centers operated by the Regional Workforce Boards may be transferred from the Agency for Workforce Innovation to the Regional Workforce Boards. Such transfers shall only occur if the agency determines that the Regional Workforce Boards would more effectively and efficiently deliver services and if such transfers comply with applicable federal regulations. For all transfers made, the agency shall submit budget amendments pursuant to chapter 216, Florida Statutes, to move positions to the Executive Office of the Governor's reserve and realign the budget into the appropriate operating budget appropriation categories to implement the transfer of programs and service delivery to the Regional Workforce Boards.

From the funds in Specific Appropriations 2263 through 2310, the Agency for Workforce Innovation shall determine whether any funds provided for specific workforce programs, projects or initiatives are not an allowable use of federal funds. If the agency finds that any project or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the agency shall notify the Executive Office of the Governor, the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council.

APPROVED SALARY RATE 28,043,567

2263	SALARIES AND BENEFITS POSITIONS 795.49		
	FROM GENERAL REVENUE FUND	322,908	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		37,823,414
	FROM WELFARE TRANSITION TRUST FUND		1,136,635
2264	OTHER PERSONAL SERVICES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		5,476,885
	FROM WELFARE TRANSITION TRUST FUND		65,313
2265	EXPENSES		
	FROM GENERAL REVENUE FUND	267,236	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		9,345,359
	FROM WELFARE TRANSITION TRUST FUND		1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		25,000
2266	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		112,914
	FROM WELFARE TRANSITION TRUST FUND		26,424
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		425,880
2267	LUMP SUM		
	RESERVE FOR FEDERAL FUNDING OPPORTUNITIES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		10,000,000
2267A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WORKFORCE PROJECTS		
	FROM GENERAL REVENUE FUND	45,000	
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		600,000

SECTION 6
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APPROPRIATION

The non-recurring funds in the Special Employment Security Administration Trust Fund in Specific Appropriation 2267A shall be allocated as follows:

Jubilee Job Link - Gadsden, Jefferson, Leon and Wakulla County	50,000
Job Training and Job Circulation - Hardee, Highlands and Polk County	250,000
Youth Summer Jobs Program - Broward County	100,000
Youth Development Strategies - Dade County	200,000

The non-recurring general revenue funds in Specific Appropriation 2267A shall be allocated as follows:

Connections Job Development Program - Hernando, Pasco and Pinellas County	20,000
Prosperity Campaign - Pasco County	25,000

2268 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM
FROM WELFARE TRANSITION TRUST FUND 1,416,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 100,000

From the funds provided in Specific Appropriation 2268, $750,000 from the Welfare Transition Trust Fund is provided for the Noncustodial Parent Program in Pinellas, Pasco and Hillsborough counties. The Pinellas Workforce Board (WorkNet) shall administer the funds, which shall be maintained as a single project for the three counties.

From the funds in Specific Appropriation 2268, $666,000 from the Welfare Transition Trust Fund is provided to expand Gulf Coast Community Care's current Noncustodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

From the funds in Specific Appropriation 2268, $100,000 from the Special Employment Security Administration Trust Fund is provided for the Noncustodial Parent Program in Brevard County.

2269 SPECIAL CATEGORIES
CONTRACT PAYMENTS
FROM GENERAL REVENUE FUND 1,900,000
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 14,847,154
FROM WELFARE TRANSITION TRUST FUND 575,000

2270 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,371,483
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 8,588,127
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 25,000

2271 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE BOARDS
FROM GENERAL REVENUE FUND 8,700,000
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 139,201,326
FROM WELFARE TRANSITION TRUST FUND 92,757,852

Funds provided in Specific Appropriation 2271 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the Regional Workforce Boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council.

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From the Welfare Transition Trust Funds in Specific Appropriation 2271, $2,000,000 is provided to continue the Passport to Economic Progress programs in Hillsborough, Manatee, and Sarasota counties. Other funds provided to the Regional Workforce Boards in Specific Appropriation 2271 may be used for Passport to Economic Progress programs in other counties.

From non-recurring general revenue funds in Specific Appropriation 2271, $1,000,000 shall be used for services for persons with disabilities. Workforce Florida, Inc. shall provide reports on January 15th and June 30th to the Governor, the President of the Senate, the Speaker of the House of Representatives and to the Agency for Persons with Disabilities on the number of persons being served and the resources being invested from all funds to assist persons with disabilities to gain employment. The report must include a description of the statewide goals as established by Workforce Florida, Inc. and a discussion of the progress made towards achieving those goals.

From the non-recurring general revenue funds, $3,700,000 in Specific Appropriation 2271 and $300,000 in Specific Appropriation 2289 shall be used to provide Workforce Cluster Centers in the state of Florida.

From the non-recurring general revenue funds in Specific Appropriation 2271, $4,000,000 is provided for the implementation of the Florida Ready to Work Initiative. The Agency for Workforce Innovation shall profile skills associated with occupations included in the initiative. The Department of Education shall coordinate with the Agency for Workforce Innovation to implement the initiative, with full implementation in Fiscal Year 2008-2009.

2272 SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE SERVICES
FROM GENERAL REVENUE FUND 10,056,604
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 30,789,856

From the non-recurring general revenue funds in Specific Appropriations 2263, 2265, 2269, 2272, 2275, 2276 and 2289, the amounts of $196,458, $52,808, $1,900,000, $9,795,830, $4,376, $528 and $50,000, respectively, are provided to continue workforce training in the construction industry as part of the Florida Rebuilds initiative.

From the non-recurring general revenue funds in Specific Appropriation 2272, Workforce Florida, Inc. shall initiate high school construction programs to meet the purposes of the Florida Rebuilds program in up to 10 school districts. Workforce Florida, Inc., in determining those school districts, must consider drop out rates and FCAT performance in those districts.

2273 SPECIAL CATEGORIES
GRANTS AND AIDS - DISPLACED HOMEMAKERS
FROM GENERAL REVENUE FUND 23,676
FROM DISPLACED HOMEMAKER TRUST FUND . . . 2,566,758

2274 SPECIAL CATEGORIES
CITIZEN SOLDIER MATCHING GRANT PAYMENTS
FROM GENERAL REVENUE FUND 1,693,601

2275 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,262
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 853,233
FROM WELFARE TRANSITION TRUST FUND 28,076

2276 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,097
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 323,316
FROM WELFARE TRANSITION TRUST FUND 9,523

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2276A SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,000,000

2278 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,825,866
FROM WELFARE TRANSITION TRUST FUND 200,000

TOTAL: PROGRAM SUPPORT
FROM GENERAL REVENUE FUND 24,389,867
FROM TRUST FUNDS 365,250,300

TOTAL POSITIONS 795.49
TOTAL ALL FUNDS 389,640,167

UNEMPLOYMENT COMPENSATION

APPROVED SALARY RATE 17,040,931

2279 SALARIES AND BENEFITS POSITIONS 461.00
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 23,309,449

2280 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,500,000

2281 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 7,506,268

2282 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 314,258

2283 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 26,692,426

2284 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 209,713

2285 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 207,304

2286 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 6,484,053

TOTAL: UNEMPLOYMENT COMPENSATION
FROM TRUST FUNDS 70,223,471

TOTAL POSITIONS 461.00
TOTAL ALL FUNDS 70,223,471

WORKFORCE FLORIDA, INC.

APPROVED SALARY RATE 794,890

2287 SALARIES AND BENEFITS POSITIONS 11.00
FROM ADMINISTRATIVE TRUST FUND 1,037,126

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2289 SPECIAL CATEGORIES
WORKFORCE FLORIDA INC. OPERATIONS
FROM GENERAL REVENUE FUND 719,143
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,348,237
FROM WELFARE TRANSITION TRUST FUND 1,019,582
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 152,792

2290 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 230
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 889
FROM WELFARE TRANSITION TRUST FUND 672
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 100

2291 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 4,409

2292 SPECIAL CATEGORIES
QUICK RESPONSE TRAINING
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,000,000

2293 SPECIAL CATEGORIES
INCUMBENT WORKER TRAINING PROGRAM
FROM GENERAL REVENUE FUND 1,652,385
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,000,000

TOTAL: WORKFORCE FLORIDA, INC.
FROM GENERAL REVENUE FUND 2,371,758
FROM TRUST FUNDS 10,563,807

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 12,935,565

UNEMPLOYMENT APPEALS COMMISSION

APPROVED SALARY RATE 1,910,874

2294 SALARIES AND BENEFITS POSITIONS 30.00
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,350,484

2295 SPECIAL CATEGORIES
UNEMPLOYMENT APPEALS COMMISSION OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 415,569

2296 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 6,095

2297 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 12,201

2298 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 4,050

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TOTAL: UNEMPLOYMENT APPEALS COMMISSION
FROM TRUST FUNDS 2,788,399

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,788,399

EARLY LEARNING

EARLY LEARNING SERVICES

APPROVED SALARY RATE 3,689,614

2299 SALARIES AND BENEFITS POSITIONS 70.00
FROM GENERAL REVENUE FUND 3,487,893
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 2,264,425

2300 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,500
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 87,000

2301 EXPENSES
FROM GENERAL REVENUE FUND 555,227
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 872,508
FROM WELFARE TRANSITION TRUST FUND 189,751

2302 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND
GRANTS
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 1,000,000

2303 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 34,434
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 15,000

2303A SPECIAL CATEGORIES
SCHOOL READINESS SERVICES
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 350,000

The non-recurring funds in Specific Appropriation 2303A shall be allocated as follows:

Child Care Developmental Services - Orange County 100,000
Alachua County Success by Six Program..... 250,000

2304 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL READINESS
SERVICES
FROM GENERAL REVENUE FUND 183,328,596
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 362,542,121
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 1,200,000
FROM WELFARE TRANSITION TRUST FUND 111,477,724

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 2304, a minimum of $3,000,000 shall be used to enhance the quality of child care through the Teacher Education and Compensation Helps Program (T.E.A.C.H.), or a substantially similar program that is designed to increase the education and training of, and reduce the turnover among, child care personnel through the award of educational scholarships in this state. The Agency for Workforce Innovation may contract for the administration of the T.E.A.C.H. or, if approved by the Legislative Budget Commission, may administer or contract for the administration of a substantially similar program.

A minimum of $1,400,0000 from the Welfare Transition Trust Fund in Specific Appropriation 2304, shall be used for the Home Instruction Program for Pre-School Youngsters (HIPPY).

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From the recurring funds in Specific Appropriation 2304, $500,000 from the General Revenue Fund is provided to the Agency for Workforce Innovation in coordination with the Early Learning Coalitions to ensure program accountability and to improve the quality of the prekindergarten programs.

Funds in Specific Appropriation 2304 from the Child Care and Development Block Grant Trust Fund may be used to provide a rate differential or stipend to programs which reach the Gold Seal Quality Care designation. The rate differential shall not exceed twenty percent of the reimbursement rate.

Funds in Specific Appropriation 2304 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Agency for Workforce Innovation may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement.

From the funds in Specific Appropriation 2304, the Agency for Workforce Innovation shall designate an amount to be used for the Child Care Executive Partnership Program as match to expand the provision of services to low income families at or below 200 percent of poverty as defined in section 409.178, Florida Statutes. Funds for this program may be used to match funds for statewide contracts.

2305 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL
READINESS
FROM GENERAL REVENUE FUND 286,968
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 2,056,925

2306 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,948
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 8,765

2307 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY
PREKINDERGARTEN PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 388,100,000

Funds in Specific Appropriation 2307 shall be allocated and distributed in accordance with the proviso associated with Specific Appropriation 89 in this act.

2308 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 16,531
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 7,181

2309 QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT
(ELIS)
FROM GENERAL REVENUE FUND 5,602,373

2310 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 65,290

TOTAL: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 193,349,470
FROM TRUST FUNDS 870,236,690

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TOTAL POSITIONS 70.00
TOTAL ALL FUNDS 1063,586,160

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

FLORIDA BOXING COMMISSION

APPROVED SALARY RATE 173,007

2311 SALARIES AND BENEFITS POSITIONS 3.00
FROM PROFESSIONAL REGULATION TRUST FUND . 222,093

2312 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 60,081

2313 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 92,149

2315 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,000

2316 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 13,362

2317 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 3,937

TOTAL: FLORIDA BOXING COMMISSION
FROM TRUST FUNDS 393,622

TOTAL POSITIONS 3.00
TOTAL ALL FUNDS 393,622

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,186,122

2318 SALARIES AND BENEFITS POSITIONS 171.50
FROM ADMINISTRATIVE TRUST FUND 10,496,446

2319 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 797,920

2320 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 2,192,732

2321 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 77,346

2322 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 498,719

2323 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 137,500

2324 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND 1,000

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2325 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 56,650

2326 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 1,560

2327 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 72,233

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 14,332,106

TOTAL POSITIONS 171.50
TOTAL ALL FUNDS 14,332,106

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,253,790

2328 SALARIES AND BENEFITS POSITIONS 44.00
FROM ADMINISTRATIVE TRUST FUND 2,904,751

2329 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 94,096

2330 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 1,222,787

2331 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 100,000

2332 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 650,000

2333 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 21,130

2334 SPECIAL CATEGORIES
TECHNOLOGY SOLUTIONS FOR DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FROM ADMINISTRATIVE TRUST FUND 2,993,434

Funds in Specific Appropriation 2334 are provided for the benefit-share payments associated with the Reengineering and Technology Project for the On-Line Licensing System and Call Center Services. Included in the funds is $2,563,627 to compensate the vendor for back payments associated with a change in methodology for capitalizing a portion of the cost of application management.

The remaining funds in Specific Appropriation 2334 shall be placed in reserve by the Executive Office of the Governor. Prior to the release of these funds for the true-up payment associated with the Reengineering and Technology Project for the On-Line Licensing System and Call Center Services, the Department of Business and Professional Regulation shall provide a report to the chair and vice chair of the Legislative Budget Commission that identifies and analyzes: the anticipated costs and benefits associated with additions, deletions, and transfers of positions; any adjustments in FTE costs or savings derived from workload adjustments; and any system enhancements or continuous improvement initiatives relating to the Reengineering and Technology project for the On-Line Licensing System and Call Center Services. The analysis shall clearly describe the final projected costs and prospective funding source(s), the final savings and benefits and the plans for realizing these benefits, and the impact on the true-up payment. Upon submission of this information, the department shall request release approval pursuant to the provisions in chapter 216, Florida Statutes.

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2336 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 17,934

2337 SPECIAL CATEGORIES
MAINTENANCE AND SUPPORT CONTRACT FOR SINGLE LICENSING SYSTEM
FROM ADMINISTRATIVE TRUST FUND 4,580,380

2337A QUALIFIED EXPENDITURE CATEGORY
DEPARTMENT WIDE DOCUMENT MANAGEMENT SYSTEM
FROM ADMINISTRATIVE TRUST FUND 2,400,000

Funds provided in Specific Appropriation 2337A for the implementation of a department-wide document management system are a reappropriation of the funds in Specific Appropriation 2182A of chapter 2005-70, Laws of Florida. If a portion of the original appropriation is expended for the project prior to June 30, 2006, the release of funds shall be limited to the amount of the appropriation reversion on June 30, 2006.

2338 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND 100,000

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 15,084,512

TOTAL POSITIONS 44.00
TOTAL ALL FUNDS 15,084,512

PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 2,614,567

2339 SALARIES AND BENEFITS POSITIONS 84.00
FROM ADMINISTRATIVE TRUST FUND 3,453,018

2340 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 225,000

2341 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 536,325

2342 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2343 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 16,158

2343A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 36,852

TOTAL: CUSTOMER CONTACT CENTER
FROM TRUST FUNDS 4,270,353

TOTAL POSITIONS 84.00
TOTAL ALL FUNDS 4,270,353

CENTRAL INTAKE

APPROVED SALARY RATE 3,280,906

2344 SALARIES AND BENEFITS POSITIONS 103.50
FROM ADMINISTRATIVE TRUST FUND 4,377,893

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2345 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 540,600

2346 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 797,813

2347 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2348 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 700,000

2349 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 18,924

2349A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 46,282

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS 6,484,512

TOTAL POSITIONS 103.50
TOTAL ALL FUNDS 6,484,512

TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE 1,555,416

2350 SALARIES AND BENEFITS POSITIONS 46.00
FROM PROFESSIONAL REGULATION TRUST FUND . 2,041,201

2351 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 479,226

2352 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 3,000

2353 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,407,052

2354 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,000

2355 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 6,146

2355A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 19,323

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 3,956,948

TOTAL POSITIONS 46.00
TOTAL ALL FUNDS 3,956,948

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PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 7,211,944

2356 SALARIES AND BENEFITS POSITIONS 191.00
FROM PROFESSIONAL REGULATION TRUST FUND . 9,607,752

Funds provided in Specific Appropriations 2356 through 2380 include five additional positions and $348,950 from the Professional Regulation Trust Fund for increased workload due to growth in the real estate industry. The department is to distribute these positions based on the percentage of growth increase in the four activity and service areas.

2357 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 18,750

2358 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,515,731

2359 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 15,940

2360 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 37,400

2361 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,280,050

From the funds in Specific Appropriation 2361, 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 registered under chapter 617, Florida Statutes, as a not-for-profit corporation registered under the Internal Revenue Service Code as a 501(c)(6) corporation 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 also coordinate its efforts with other state agencies, including those regulating the mortgage and title insurance industries.

From the funds in Specific Appropriation 2361, 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 licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation registered under chapter 617, Florida Statutes, as a not-for-profit corporation and registered under the Internal Revenue Service Code as a 501 (c)(6) corporation and which 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.

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2362 SPECIAL CATEGORIES
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 4,000,000

2363 SPECIAL CATEGORIES
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2364 SPECIAL CATEGORIES
TRANSFER ARCHITECT & INTERIOR DESIGN ACTIVITIES CH. 2002-274
FROM PROFESSIONAL REGULATION TRUST FUND . 525,239

2365 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 30,840

2366 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 191,136

2367 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 180,392

2368 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 79,854

2369 FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 450,000

2370 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM PROFESSIONAL REGULATION TRUST FUND . 45,312

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 18,078,396

TOTAL POSITIONS 191.00
TOTAL ALL FUNDS 18,078,396

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,158,102

2371 SALARIES AND BENEFITS POSITIONS 49.00
FROM PROFESSIONAL REGULATION TRUST FUND . 2,786,603

2372 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 526,927

2373 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,787,014

2374 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 16,560

2375 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 737,788

2376 SPECIAL CATEGORIES
CONTINUING EDUCATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,500

2377 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 6,000

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2378 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 14,098

2379 SPECIAL CATEGORIES
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC ACCOUNTING
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2380 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 26,183

2381 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENGINEERING MANAGEMENT CORPORATION (FEMC) CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,170,000

2382 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM PROFESSIONAL REGULATION TRUST FUND . 9,406,977

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 17,579,650

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 17,579,650

PROGRAM: PARI-MUTUEL WAGERING

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 424,412

2382A SALARIES AND BENEFITS POSITIONS 11.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 557,432

2382B EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 62,741

2382C SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 8,000

2382D SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,032

2382E SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,360,000

2382F SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 4,409

2382G SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 27,766

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 3,022,380

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 3,022,380

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STANDARDS AND LICENSURE

APPROVED SALARY RATE 1,280,643

2382H SALARIES AND BENEFITS POSITIONS 30.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,658,842

2382I OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,620,666

2382J EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 392,928

2382K OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 18,032

2382L SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 24,802

2382M SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 307,317

From the funds in Specific Appropriation 2382M, $300,000 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.

2382N SPECIAL CATEGORIES
GRANTS AND AIDS - STATE UNIVERSITY SYSTEM (INDUSTRY RESEARCH)
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 300,000

Funds in Specific Appropriation 2382N are provided for the pari-mutuel wagering funded research and development program. The University of Florida and the Department of Business and Professional Regulation shall jointly prioritize the programs or projects and administer the distribution of funds.

2382O SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 8,000

2382P SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 241,415

2382Q SPECIAL CATEGORIES
REGULATION OF PARI-MUTUEL INDUSTRIES (EQUALIZATION)
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 167,959

2382R SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 27,649

2382S SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 83,298

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 4,850,908

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 4,850,908

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TAX COLLECTION

APPROVED SALARY RATE 844,134

2382T SALARIES AND BENEFITS POSITIONS 21.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,102,738

2382U OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 115,000

2382V EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 194,827

2382W SPECIAL CATEGORIES
GRANTS AND AID - TAX RELIEF RELATED TO
HURRICANE IVAN 2004
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 310,000

Funds in Specific Appropriation 2382W are provided to Pensacola Greyhound Track, Inc., for tax relief related to Hurricane Ivan in 2004.

2382X SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,752

2382Y SPECIAL CATEGORIES
TAX COLLECTION (EQUALIZATION)
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 60,725

2382Z SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 9,503

2382AA SPECIAL CATEGORIES
CONTRACT FOR PARI-MUTUEL WAGERING
COMPLIANCE AND AUDIT SYSTEM
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 296,476

2382AB SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 27,766

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 2,120,787

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,120,787

SLOT MACHINE REGULATION

APPROVED SALARY RATE 1,631,960

2399A SALARIES AND BENEFITS POSITIONS 41.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,214,193

2399B EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 335,815

2399C SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,231,601

2399D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,680,000

2399E SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 234,958

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2399F SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 16,113

2399G SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 132,321

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS 7,845,001

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 7,845,001

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 9,920,403

2400 SALARIES AND BENEFITS POSITIONS 271.00
FROM HOTEL AND RESTAURANT TRUST FUND . . . 12,988,858

From the funds in Specific Appropriations 2400 through 2411, the Department of Business and Professional Regulation must submit reports on a quarterly basis to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, the chair of the House Fiscal Council, the Senate Regulated Industries Committee, the House Business Regulation Committee, and the Office of Program Policy Analysis and Government Accountability related to its responsibilities defined in chapter 509, Florida Statutes. The quarterly report shall include, at a minimum, the following data for public food and public lodging establishments and apartments: number of active food and lodging establishments and apartment licenses; number and percentage of food and lodging establishments and apartments not inspected since the beginning of the fiscal year; number and percentage of food and lodging establishments and apartments inspected once since the beginning of the fiscal year; and the number and percentage of food and lodging establishments inspected twice since the beginning of the fiscal year. The report is due on or before the 15th day following the end of the quarter.

In addition, the department must monitor and evaluate all technical enhancements made to the personal digital assistants (PDAs) used by Division of Hotels and Restaurants' inspection staff and must provide, on a biannual basis, a progress report to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, the chair of the House Fiscal Council, the Senate Regulated Industries Committee, the House Business Regulation Committee, and the Office of Program Policy Analysis and Government Accountability. Each progress report must, at a minimum, describe: specific technical enhancements that have been made or are planned to be made during the 2006-2007 fiscal year; implementation schedule for such enhancements, including planned field tests; training provided to division staff on the use of the enhanced PDAs; and productivity improvements experienced because of the enhanced PDAs. The first biannual report must be submitted by January 15, 2007.

2401 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 9,500

2402 EXPENSES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 1,739,917

2403 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST FUND . . . 35,100

2404 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 478,000

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2405 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR
EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 418,416

2406 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST FUND . . . 150,000

2407 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 3,000

2408 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 266,000

2409 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST FUND . . . 340,917

2410 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST FUND . . . 108,995

2411 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM HOTEL AND RESTAURANT TRUST FUND . . . 456,457

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,995,160

TOTAL POSITIONS 271.00
TOTAL ALL FUNDS 16,995,160

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 9,284,046

2412 SALARIES AND BENEFITS POSITIONS 205.75
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 12,694,431

2413 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 7,075

2414 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 1,661,233

2415 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 315,644

2416 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 417,523

2417 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 221,422

2418 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS

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FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 235,176

2419 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 140,000

2420 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 82,465

2421 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 49,559

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 15,824,528

TOTAL POSITIONS 205.75
TOTAL ALL FUNDS 15,824,528

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,324,457

2422 SALARIES AND BENEFITS POSITIONS 61.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 3,172,525

2423 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 800

2424 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 556,465

2425 OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 5,000

2426 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 12,743

2427 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 24,548

2428 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 148,676

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 3,920,757

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 3,920,757

TAX COLLECTION

APPROVED SALARY RATE 3,775,292

2429 SALARIES AND BENEFITS POSITIONS 106.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO

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TRUST FUND 5,022,614

2430 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 721,198

2431 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 92,371

2432 SPECIAL CATEGORIES
CIGARETTE TAX STAMPS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 651,250

2433 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 14,909

2434 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 42,485

2435 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 49,559

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 6,594,386

TOTAL POSITIONS 106.00
TOTAL ALL FUNDS 6,594,386

PROGRAM: FLORIDA LAND SALES, CONDOMINIUMS AND MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 3,336,040

2436 SALARIES AND BENEFITS POSITIONS 86.00
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 4,297,812

From the funds in Specific Appropriations 2436 through 2442B provided for the Office of the Condominium Ombudsman, the Ombudsman shall provide to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council a detailed quarterly report of financial activities for the office. The report is due on or before the 15th day following the end of the quarter.

From the funds in Specific Appropriations 2436 through 2452, 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 Ways and Means Committee, the chair of the House Fiscal Council, the Senate Regulated Industry Committee, the House Business Regulation Committee, and the Office of Program Policy Analysis and Government Accountability related to its responsibilities defined in section 718.501, Florida Statutes. The quarterly report shall include, but not be limited to the following data: the number of training programs provided for condominium association board members and unit owners; the number of complaints received by type; the number and percent of complaints acknowledged in writing within 30 days as required by section 718.501(1)(m), Florida Statutes; the number and percent of investigations acted upon within 90 days as required by section

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718.501(1)(m), Florida Statutes; and the number of investigations that are continuing in excess of the 90-day requirement, with the reasons that the cases required more than 90 days to close.

The department shall monitor caseloads, timeliness of responses to complaints and investigations, and prepare an analysis of the resources and staffing required by the Division of Land Sales, Condominiums, and Mobile Homes to maintain compliance with the requirements of section 718.501, Florida Statutes. In addition, the department shall evaluate core business processes associated with the complaint handling, in order to determine improvements in response time and efficiencies in the complaint review process.

In addition, the department shall evaluate non-jurisdictional complaints to determine if any categories of complaints warrant statutory changes providing additional authority for resolution. The department shall include any recommendations for making such statutory changes in its quarterly reports.

2437 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 90,558

2438 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 850,053

2438A OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 3,800

2439 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 32,000

2440 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 28,599

2441 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 33,881

2442 SPECIAL CATEGORIES
GRANTS AND AIDS - CONDOMINIUM/COOPERATIVE
ASSOCIATION MANAGEMENT EDUCATION
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 250,000

2442A SPECIAL CATEGORIES
SPECIFIC INSURANCE TRAINING TO CONDOMINIUM
BOARDS AND UNIT OWNERS
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 50,000

2442B SPECIAL CATEGORIES
TRANSFER TO STATE ATTORNEY FOR STATE
ATTORNEY CONDOMINIUM PILOT PROGRAM
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 100,000

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2443 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 61,906

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 5,798,609

TOTAL POSITIONS 86.00
TOTAL ALL FUNDS 5,798,609

STANDARDS AND LICENSURE

APPROVED SALARY RATE 1,108,653

2444 SALARIES AND BENEFITS POSITIONS 31.00
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,505,324

2445 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 15,131

2446 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 311,046

2447 OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,298

2448 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 5,500

2449 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 9,411

2450 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 12,469

2451 SPECIAL CATEGORIES
AID TO NONPROFIT ORGANIZATIONS - FLORIDA MOBILE HOME RELOCATION CORPORATION
FROM FLORIDA MOBILE HOME RELOCATION TRUST FUND 1,400,000

2452 SPECIAL CATEGORIES
SERVICE OPERATIONS
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 247,625

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 3,507,804

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 3,507,804

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PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE 1,581,390

2453 SALARIES AND BENEFITS POSITIONS 27.00
FROM CITRUS ADVERTISING TRUST FUND 1,981,380

2454 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2455 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 3,260,794

2456 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 206,000

2457 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 3,659,700

2458 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 182,000

2459 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 10,911

TOTAL: CITRUS RESEARCH
FROM TRUST FUNDS 9,378,785

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 9,378,785

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,942,867

2460 SALARIES AND BENEFITS POSITIONS 39.00
FROM CITRUS ADVERTISING TRUST FUND 2,652,304

2461 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2462 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,200,939

2463 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 145,000

2464 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 810,000

2465 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 75,000

2466 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS ADVERTISING TRUST FUND 24,840

2467 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 16,672

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2468 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM CITRUS ADVERTISING TRUST FUND 8,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 5,010,755

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 5,010,755

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,618,512

2469 SALARIES AND BENEFITS POSITIONS 24.00
FROM CITRUS ADVERTISING TRUST FUND 2,203,046

2470 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 17,000

2471 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,424,245

From the funds provided in Specific Appropriation 2471, the Department of Citrus may contract to reimburse the Florida Commission on Tourism/Florida Tourism Industry Marketing Corporation for an amount not to exceed $240,000 for the cost of citrus juice dispensed at the Florida Welcome Stations.

From the funds in Specific Appropriation 2471, $500,000 is provided as payment for the equalization tax settlement agreement pursuant to Consolidated Case No. 2002-CA-4686 in the Circuit Court of the Tenth Judicial Circuit in Polk County. This payment represents the third of four annual installments.

2472 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 100,000

2473 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 49,395,526

2474 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 9,763

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM TRUST FUNDS 53,149,580

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 53,149,580

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 7,066,969

2475 SALARIES AND BENEFITS POSITIONS 160.50
FROM GENERAL REVENUE FUND 142,709
FROM ADMINISTRATIVE TRUST FUND 1,246,921
FROM INSURANCE REGULATORY TRUST FUND . . . 8,258,529
FROM REGULATORY TRUST FUND 307,415
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 186,066

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2476 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 9,980
FROM INSURANCE REGULATORY TRUST FUND . . . 399,580

2477 EXPENSES
FROM GENERAL REVENUE FUND 269,350
FROM ADMINISTRATIVE TRUST FUND 291,322
FROM ANTI-FRAUD TRUST FUND 59,100
FROM INSURANCE REGULATORY TRUST FUND . . . 1,391,276
FROM REGULATORY TRUST FUND 34,799
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 26,501

2478 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,500
FROM ADMINISTRATIVE TRUST FUND 3,319
FROM INSURANCE REGULATORY TRUST FUND . . . 19,247

2480 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 207,703

2481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,103
FROM ADMINISTRATIVE TRUST FUND 3,359
FROM INSURANCE REGULATORY TRUST FUND . . . 45,934

2482 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 946
FROM ADMINISTRATIVE TRUST FUND 8,269
FROM INSURANCE REGULATORY TRUST FUND . . . 54,862
FROM REGULATORY TRUST FUND 2,039
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 1,234

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 422,608
FROM TRUST FUNDS 12,557,455

TOTAL POSITIONS 160.50
TOTAL ALL FUNDS 12,980,063

LEGAL SERVICES

APPROVED SALARY RATE 4,295,531

2483 SALARIES AND BENEFITS POSITIONS 87.50
FROM GENERAL REVENUE FUND 341,745
FROM ADMINISTRATIVE TRUST FUND 607,891
FROM INSURANCE REGULATORY TRUST FUND . . . 3,429,589
FROM REGULATORY TRUST FUND 73,418
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 685,917
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 303,086

2484 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 269,068

2485 EXPENSES
FROM GENERAL REVENUE FUND 31,421
FROM ADMINISTRATIVE TRUST FUND 41,703
FROM INSURANCE REGULATORY TRUST FUND . . . 777,418
FROM REGULATORY TRUST FUND 6,513
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 40,421
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 39,577

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2486	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST FUND . . .		3,639
2487	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM INSURANCE REGULATORY TRUST FUND . . .		473,533
2488	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		18,975
2489	SPECIAL CATEGORIES		
	HOLOCAUST VICTIMS ASSISTANCE ADMINISTRATION		
	FROM INSURANCE REGULATORY TRUST FUND . . .		308,007
2490	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST FUND . . .		19,668
2491	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	2,281	
	FROM ADMINISTRATIVE TRUST FUND		4,058
	FROM INSURANCE REGULATORY TRUST FUND . . .		22,892
	FROM REGULATORY TRUST FUND		490
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		4,578
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		2,023
TOTAL: LEGAL SERVICES			
	FROM GENERAL REVENUE FUND	375,447	
	FROM TRUST FUNDS		7,132,464
	TOTAL POSITIONS	87.50	
	TOTAL ALL FUNDS		7,507,911

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 11,888,090

2492	SALARIES AND BENEFITS POSITIONS	264.00	
	FROM GENERAL REVENUE FUND	7,991,131	
	FROM UNCLAIMED PROPERTY TRUST FUND		274,863
	FROM ADMINISTRATIVE TRUST FUND		369,283
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		46,799
	FROM INSURANCE REGULATORY TRUST FUND . . .		4,493,031
	FROM REGULATORY TRUST FUND		716,995
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		342,376
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		1,020,035
2493	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	6,559	
	FROM UNCLAIMED PROPERTY TRUST FUND		37,268
	FROM ADMINISTRATIVE TRUST FUND		50,800
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		6,303
	FROM INSURANCE REGULATORY TRUST FUND . . .		1,042,538
	FROM REGULATORY TRUST FUND		42,070
2494	EXPENSES		
	FROM GENERAL REVENUE FUND	6,677,295	
	FROM UNCLAIMED PROPERTY TRUST FUND		166,416
	FROM ADMINISTRATIVE TRUST FUND		222,161
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		34,827
	FROM INSURANCE REGULATORY TRUST FUND . . .		4,360,481
	FROM REGULATORY TRUST FUND		273,629
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		40,313
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		597,860
2495	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	312,424	
	FROM UNCLAIMED PROPERTY TRUST FUND		89,912
	FROM ADMINISTRATIVE TRUST FUND		119,961
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		15,206
	FROM INSURANCE REGULATORY TRUST FUND . . .		634,990
	FROM REGULATORY TRUST FUND		101,497
2496	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		90,000
	FROM INSURANCE REGULATORY TRUST FUND . . .		2,725,208
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		86,000
2497	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	20,593	
	FROM UNCLAIMED PROPERTY TRUST FUND		1,464
	FROM ADMINISTRATIVE TRUST FUND		2,417
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		307
	FROM INSURANCE REGULATORY TRUST FUND . . .		28,697
	FROM REGULATORY TRUST FUND		2,047
2498	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	55,970	
	FROM UNCLAIMED PROPERTY TRUST FUND		1,925
	FROM ADMINISTRATIVE TRUST FUND		2,586
	FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		328
	FROM INSURANCE REGULATORY TRUST FUND . . .		31,045
	FROM REGULATORY TRUST FUND		5,022
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		2,398
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		7,144
TOTAL: INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND	15,063,972	
	FROM TRUST FUNDS		18,086,202
	TOTAL POSITIONS	264.00	
	TOTAL ALL FUNDS		33,150,174

PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE 1,175,034

2499	SALARIES AND BENEFITS POSITIONS	30.00	
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,458,407
2500	OTHER PERSONAL SERVICES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		11,129
2501	EXPENSES		
	FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		362,258

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2502 OPERATING CAPITAL OUTLAY
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,783

2503 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 46,174

2504 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 12,024

TOTAL: DEPOSIT SECURITY
FROM TRUST FUNDS 1,891,775

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 1,891,775

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE 1,067,985

2505 SALARIES AND BENEFITS POSITIONS 27.00
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,405,131

2506 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 120,000

2507 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 536,636

2508 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 713,300

2509 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 10,832

TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT
FROM TRUST FUNDS 2,785,899

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,785,899

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE 396,087

2510 SALARIES AND BENEFITS POSITIONS 11.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 548,139

2511 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 100

2512 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 113,745

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2513 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 4,742

TOTAL: SUPPLEMENTAL RETIREMENT PLAN
FROM TRUST FUNDS 666,726

TOTAL POSITIONS 11.50
TOTAL ALL FUNDS 666,726

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING

APPROVED SALARY RATE 7,187,242

2514 SALARIES AND BENEFITS POSITIONS 165.00
FROM GENERAL REVENUE FUND 8,439,008
FROM ADMINISTRATIVE TRUST FUND 454,414
FROM INSURANCE REGULATORY TRUST FUND . . . 323,899

2515 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 233,867

From the funds in Specific Appropriation 2515, up to $50,000 is to be used to contract for the independent verification of tobacco settlement receipts received by the state.

2516 EXPENSES
FROM GENERAL REVENUE FUND 1,230,448
FROM ADMINISTRATIVE TRUST FUND 156,670

2517 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 15,700
FROM ADMINISTRATIVE TRUST FUND 2,500

2518 SPECIAL CATEGORIES
POSTCONVICTION CAPITAL COLLATERAL CASES -
REGISTRY ATTORNEYS
FROM ADMINISTRATIVE TRUST FUND 2,075,388

2519 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 556,000
FROM INSURANCE REGULATORY TRUST FUND . . . 3,000,000

From the funds in Specific Appropriation 2519, $556,000 from the General Revenue Fund is provided for a feasibility study on the integration of the state's purchasing and human resources systems with the financial accounting system, ASPIRE. The study and its recommendations shall be provided to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council no later than March 1, 2007.

2520 SPECIAL CATEGORIES
DEBT SERVICE - FLAIR ACCOUNTING AND CASH
MANAGEMENT SYSTEM REPLACEMENT
FROM INSURANCE REGULATORY TRUST FUND . . . 16,195,405

2521 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 28,783

2522 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 700

2523 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,471
FROM ADMINISTRATIVE TRUST FUND 3,266
FROM INSURANCE REGULATORY TRUST FUND . . . 2,360

2523A SPECIAL CATEGORIES
TRANSFER TO THE PRISON INDUSTRY
ENHANCEMENT (PIE) PROGRAM
FROM PRISON INDUSTRIES TRUST FUND 750,000

Funds in Specific Appropriation 2523A 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.

2524 SPECIAL CATEGORIES
FLORIDA CLERKS OF COURT OPERATIONS
CORPORATION
FROM ADMINISTRATIVE TRUST FUND 2,000,000

2524A QUALIFIED EXPENDITURE CATEGORY
ASPIRE PROJECT
FROM GENERAL REVENUE FUND 6,345,435

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING
FROM GENERAL REVENUE FUND 16,911,412
FROM TRUST FUNDS 24,963,902

TOTAL POSITIONS 165.00
TOTAL ALL FUNDS 41,875,314

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

APPROVED SALARY RATE 2,221,656

2525 SALARIES AND BENEFITS POSITIONS 58.00
FROM UNCLAIMED PROPERTY TRUST FUND 2,605,159

2526 OTHER PERSONAL SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND 255,219

2527 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND 833,603

2528 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND 7,500

2529 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM UNCLAIMED PROPERTY TRUST FUND 7,753

2530 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM UNCLAIMED PROPERTY TRUST FUND 24,299

TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY
FROM TRUST FUNDS 3,733,533

TOTAL POSITIONS 58.00
TOTAL ALL FUNDS 3,733,533

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PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 2,595,528

2531 SALARIES AND BENEFITS POSITIONS 70.50
FROM INSURANCE REGULATORY TRUST FUND . . . 3,314,120

2532 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 25,688

2533 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 609,809

2534 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 9,144

2535 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 111,000

2536 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 8,000

2537 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 28,290

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 4,106,051

TOTAL POSITIONS 70.50
TOTAL ALL FUNDS 4,106,051

FIRE AND ARSON INVESTIGATIONS

APPROVED SALARY RATE 6,000,103

2538 SALARIES AND BENEFITS POSITIONS 131.00
FROM INSURANCE REGULATORY TRUST FUND . . . 8,126,693

2539 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 33,391

2540 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,635,566

2541 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 49,565

2542 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 620,984

2543 SPECIAL CATEGORIES
ON-CALL FEES
FROM INSURANCE REGULATORY TRUST FUND . . . 250,000

2544 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 144,174

2545 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 5,000

2546 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 52,704

TOTAL: FIRE AND ARSON INVESTIGATIONS
FROM TRUST FUNDS 10,918,077

TOTAL POSITIONS 131.00
TOTAL ALL FUNDS 10,918,077

PROFESSIONAL TRAINING AND STANDARDS

APPROVED SALARY RATE 1,103,199

2547 SALARIES AND BENEFITS POSITIONS 30.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,502,655

2548 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 261,367

2549 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 760,426

2549A AID TO LOCAL GOVERNMENTS
CITY OF HIALEAH - ARSON INVESTIGATION UNIT
FROM GENERAL REVENUE FUND 100,000

2549B AID TO LOCAL GOVERNMENTS
CITY OF HIALEAH - COMMUNICATION CENTER
MANAGER
FROM GENERAL REVENUE FUND 80,000

2549C AID TO LOCAL GOVERNMENTS
CITY OF HIALEAH - FIRE PREVENTION COMPUTER
SYSTEM
FROM GENERAL REVENUE FUND 80,000

2550 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 23,294

2551 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 21,500

2552 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM INSURANCE REGULATORY TRUST FUND . . . 400,000

2553 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 17,500

2554 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 15,922

TOTAL: PROFESSIONAL TRAINING AND STANDARDS
FROM GENERAL REVENUE FUND 260,000
FROM TRUST FUNDS 3,002,664

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 3,262,664

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

APPROVED SALARY RATE 904,854

2555 SALARIES AND BENEFITS POSITIONS 22.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,236,995

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2556 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 9,102

2557 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 541,711

2558 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 12,000

2559 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 282,231

2560 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 7,500

2561 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 9,073

TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES
FROM TRUST FUNDS 2,098,612

TOTAL POSITIONS 22.00
TOTAL ALL FUNDS 2,098,612

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

APPROVED SALARY RATE 3,598,298

2562 SALARIES AND BENEFITS POSITIONS 100.00
STATE RISK MANAGEMENT TRUST FUND 4,751,666

2563 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND 273,640

2564 EXPENSES
STATE RISK MANAGEMENT TRUST FUND 1,057,735

2565 OPERATING CAPITAL OUTLAY
STATE RISK MANAGEMENT TRUST FUND 1,805

2566 SPECIAL CATEGORIES
CONTRACTED SERVICES
STATE RISK MANAGEMENT TRUST FUND 12,024

2567 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
STATE RISK MANAGEMENT TRUST FUND 10,871,000

2568 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
STATE RISK MANAGEMENT TRUST FUND 98,170

2569 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
STATE RISK MANAGEMENT TRUST FUND 40,379

TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT
FROM TRUST FUNDS 17,106,419

TOTAL POSITIONS 100.00
TOTAL ALL FUNDS 17,106,419

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APPROPRIATION
PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

APPROVED SALARY RATE 497,200

2570 SALARIES AND BENEFITS POSITIONS 9.00
FROM INSURANCE REGULATORY TRUST FUND . . . 788,912

2571 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 241,666

2572 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 173,530

2573 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,120

2574 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 6,424

2575 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 3,607

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS 1,215,259

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 1,215,259

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

APPROVED SALARY RATE 5,772,939

2576 SALARIES AND BENEFITS POSITIONS 161.00
FROM INSURANCE REGULATORY TRUST FUND . . . 7,326,443

2577 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 3,530,312

2578 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,322,960

2579 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 46,750

2580 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 54,137

2581 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 55,733

2582 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 64,751

TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT
FROM TRUST FUNDS 12,401,086

TOTAL POSITIONS 161.00
TOTAL ALL FUNDS 12,401,086

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APPROPRIATION
INSURANCE FRAUD

APPROVED SALARY RATE 7,731,838

2583 SALARIES AND BENEFITS POSITIONS 171.00
FROM INSURANCE REGULATORY TRUST FUND . . . 10,011,679

2584 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 85,833

2585 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,985,173

2586 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,700

2587 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 337,500

2588 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF PIP FRAUD
FROM INSURANCE REGULATORY TRUST FUND . . . 122,405

2589 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 229,646

2590 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 208,660

2591 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 69,058

TOTAL: INSURANCE FRAUD
FROM TRUST FUNDS 13,051,654

TOTAL POSITIONS 171.00
TOTAL ALL FUNDS 13,051,654

CONSUMER ASSISTANCE

APPROVED SALARY RATE 6,568,205

2592 SALARIES AND BENEFITS POSITIONS 181.50
FROM GENERAL REVENUE FUND 87,717
FROM ADMINISTRATIVE TRUST FUND 18,441
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 222,997
FROM INSURANCE REGULATORY TRUST FUND . . . 7,401,381
FROM REGULATORY TRUST FUND 586,707

2593 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 710,200

2594 EXPENSES
FROM GENERAL REVENUE FUND 11,593
FROM ADMINISTRATIVE TRUST FUND 11,690
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 23,303
FROM INSURANCE REGULATORY TRUST FUND . . . 2,089,449
FROM REGULATORY TRUST FUND 63,125

2595 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,200

2596 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 587,820

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2597 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 32,522

2598 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 772
FROM ADMINISTRATIVE TRUST FUND 162
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 1,963
FROM INSURANCE REGULATORY TRUST FUND . . . 65,149
FROM REGULATORY TRUST FUND 5,164

TOTAL: CONSUMER ASSISTANCE
FROM GENERAL REVENUE FUND 100,082
FROM TRUST FUNDS 11,821,273

TOTAL POSITIONS 181.50
TOTAL ALL FUNDS 11,921,355

FUNERAL AND CEMETERY SERVICES

APPROVED SALARY RATE 1,030,913

2599 SALARIES AND BENEFITS POSITIONS 25.00
FROM REGULATORY TRUST FUND 1,347,335

2600 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 77,050

2601 EXPENSES
FROM REGULATORY TRUST FUND 331,295

2602 LUMP SUM
FUNERAL AND CEMETERIES REGULATION
POSITIONS 10.00
FROM REGULATORY TRUST FUND 887,145

2604 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 12,743

2604A QUALIFIED EXPENDITURE CATEGORY
FUNERAL AND CEMETERY TECHNOLOGY PROJECT
FROM INSURANCE REGULATORY TRUST FUND . . . 1,192,738

TOTAL: FUNERAL AND CEMETERY SERVICES
FROM TRUST FUNDS 3,848,306

TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 3,848,306

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

APPROVED SALARY RATE 12,997,427

2605 SALARIES AND BENEFITS POSITIONS 361.00
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 15,823,259
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 962,253

2606 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 2,660,039
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 243,597

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2607 EXPENSES
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 5,165,516
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 247,195

2608 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 365,021
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 36,851

2609 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 422,050

2610 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 144,708

2611 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 138,962
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 8,451

2611A SPECIAL CATEGORIES
TRANSFER TO WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 7,103,111

Funds in Specific Appropriation 2611A are provided for transfer to the Workers' Compensation Joint Underwriting Association, Inc., to cover projected 6-month cash needs for the sub-plans and tiers in accordance with the provisions of section 627.311, Florida Statutes. The funds shall be held in reserve. Release of these funds shall be contingent upon approval by the Legislative Budget Commission.

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS 33,321,013

TOTAL POSITIONS 361.00
TOTAL ALL FUNDS 33,321,013

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

APPROVED SALARY RATE 12,133,931

2612 SALARIES AND BENEFITS POSITIONS 274.00
FROM INSURANCE REGULATORY TRUST FUND . . . 15,427,216

2613 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,193,245

From the funds provided in Specific Appropriations 2613 through 2618, $101,499 from the Insurance Regulatory Trust Fund is provided for business development and market research. Fifty percent of this funding is to be held in reserve. The Office of Insurance Regulation shall coordinate with Enterprise Florida, Inc. in efforts to expand or move lines of insurance business to Florida and to facilitate the process for established and new insurance companies. The office shall report, by December 1, 2006, to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal

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Council on the results of this effort. Upon the submission of the report, the office is authorized to submit a request to release funds held in reserve, in accordance with the provisions of chapter 216, Florida Statutes.

2614 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 2,925,331

From the funds provided in Specific Appropriation 2614, $150,000 is provided to the Office of Insurance Regulation to gather title insurance data in accordance with section 624.501(27)(e)(2), Florida Statutes. The data shall be collected from licensed agents, agencies, and insurers. The information collected shall be sufficient to give due consideration to the factors set forth in section 627.782, Florida Statutes. To assist with its data collection and analysis, the office shall retain the services of an independent actuary with experience and expertise in the title insurance industry.

2615 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 15,000

2616 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,227,872

2617 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 189,435

2618 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 110,590

2618A QUALIFIED EXPENDITURE CATEGORY
PROPERTY & CASUALTY RATE DATA COLLECTION & MANAGEMENT PROJECT
FROM INSURANCE REGULATORY TRUST FUND . . . 1,850,000

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE

FROM TRUST FUNDS 22,938,689

TOTAL POSITIONS 274.00
TOTAL ALL FUNDS 22,938,689

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,096,937

2619 SALARIES AND BENEFITS POSITIONS 37.00
FROM INSURANCE REGULATORY TRUST FUND . . . 2,575,827

2621 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 235,085

2622 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,900

2623 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 15,623

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM TRUST FUNDS 2,828,435

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 2,828,435

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OFFICE OF FINANCIAL REGULATION

COMPLIANCE AND ENFORCEMENT - SECURITIES AND FINANCE

APPROVED SALARY RATE 6,395,384

2624 SALARIES AND BENEFITS POSITIONS 147.00
FROM GENERAL REVENUE FUND 3,229,786
FROM REGULATORY TRUST FUND 4,619,927

2625 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,038
FROM ANTI-FRAUD TRUST FUND 114,279
FROM REGULATORY TRUST FUND 51,091

2626 EXPENSES
FROM GENERAL REVENUE FUND 445,949
FROM ANTI-FRAUD TRUST FUND 119,358
FROM REGULATORY TRUST FUND 766,200

2627 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,500
FROM ANTI-FRAUD TRUST FUND 21,201
FROM REGULATORY TRUST FUND 22,631

2628 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,953
FROM REGULATORY TRUST FUND 7,620

2629 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 25,267
FROM REGULATORY TRUST FUND 35,120

TOTAL: COMPLIANCE AND ENFORCEMENT - SECURITIES AND FINANCE
FROM GENERAL REVENUE FUND 3,718,493
FROM TRUST FUNDS 5,757,427

TOTAL POSITIONS 147.00
TOTAL ALL FUNDS 9,475,920

REGULATORY REVIEW - SECURITIES AND FINANCE

APPROVED SALARY RATE 2,016,228

2630 SALARIES AND BENEFITS POSITIONS 54.00
FROM GENERAL REVENUE FUND 1,621,732
FROM REGULATORY TRUST FUND 1,241,128

2631 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 5,928
FROM REGULATORY TRUST FUND 2,970,474

2632 EXPENSES
FROM GENERAL REVENUE FUND 254,160
FROM ANTI-FRAUD TRUST FUND 13,741
FROM REGULATORY TRUST FUND 439,778

2633 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,566
FROM ANTI-FRAUD TRUST FUND 10,601
FROM REGULATORY TRUST FUND 11,600

2635 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,922
FROM REGULATORY TRUST FUND 37,384

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2636 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 12,479
FROM REGULATORY TRUST FUND 9,520

2636A QUALIFIED EXPENDITURE CATEGORY
LICENSING ENFORCEMENT SYSTEM TECHNOLOGY PROJECT
FROM REGULATORY TRUST FUND 5,009,600

TOTAL: REGULATORY REVIEW - SECURITIES AND FINANCE

FROM GENERAL REVENUE FUND 1,909,787
FROM TRUST FUNDS 9,743,826

TOTAL POSITIONS 54.00
TOTAL ALL FUNDS 11,653,613

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 5,734,590

2637 SALARIES AND BENEFITS POSITIONS 116.00
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 7,180,172

2638 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 1,142,689

2639 EXPENSES
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 1,325,887

2640 OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 16,386

2641 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 23,555

2642 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 46,679

TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

FROM TRUST FUNDS 9,735,368

TOTAL POSITIONS 116.00
TOTAL ALL FUNDS 9,735,368

FINANCIAL INVESTIGATIONS

APPROVED SALARY RATE 2,852,680

2643 SALARIES AND BENEFITS POSITIONS 64.00
FROM GENERAL REVENUE FUND 1,483,751
FROM ADMINISTRATIVE TRUST FUND 1,843,114

2644 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 5,321

2645 EXPENSES
FROM GENERAL REVENUE FUND 328,410

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FROM ADMINISTRATIVE TRUST FUND 363,181
FROM FEDERAL EQUITABLE SHARING TRUST FUND 51,758

2646 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 10,600

2647 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,653
FROM ADMINISTRATIVE TRUST FUND 4,809

2648 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,002
FROM ADMINISTRATIVE TRUST FUND 14,649

TOTAL: FINANCIAL INVESTIGATIONS

FROM GENERAL REVENUE FUND 1,826,816
FROM TRUST FUNDS 2,293,432

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 4,120,248

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,664,630

2649 SALARIES AND BENEFITS POSITIONS 47.00
FROM GENERAL REVENUE FUND 813,554
FROM ADMINISTRATIVE TRUST FUND 1,993,146
FROM REGULATORY TRUST FUND 383,309

2650 EXPENSES
FROM GENERAL REVENUE FUND 76,769
FROM ADMINISTRATIVE TRUST FUND 231,626
FROM REGULATORY TRUST FUND 95,937

2650A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,804
FROM ADMINISTRATIVE TRUST FUND 11,770
FROM REGULATORY TRUST FUND 2,264

2650B SPECIAL CATEGORIES
CONSUMER OUTREACH INITIATIVE IN THE OFFICE OF FINANCIAL REGULATION
FROM REGULATORY TRUST FUND 175,000

Funds in Specific Appropriation 2650B are provided for prevention of consumer fraud. Any funds not used for this purpose are to revert to the Regulatory Trust Fund.

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND 895,127
FROM TRUST FUNDS 2,893,052

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 3,788,179

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

2651 SALARIES AND BENEFITS POSITIONS 119.00
FROM GENERAL REVENUE FUND 7,888,181

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FROM GRANTS AND DONATIONS TRUST FUND . . .		199,816
2652 LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION		
FROM GENERAL REVENUE FUND	2,579,511	
FROM GRANTS AND DONATIONS TRUST FUND . . .		488,236
2653 LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE		
FROM GENERAL REVENUE FUND	124,874	
2654 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	34,666	
2655 SPECIAL CATEGORIES CONTINGENT - DISCRETIONARY		
FROM GENERAL REVENUE FUND	40,000	
2656 SPECIAL CATEGORIES EX-OFFENDER RE-ENTRY TASK FORCE		
FROM GRANTS AND DONATIONS TRUST FUND . . .		187,000
2657 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	38,670	
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,810
2658 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	50,622	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,282
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	10,756,524	
FROM TRUST FUNDS		882,144
TOTAL POSITIONS	119.00	
TOTAL ALL FUNDS		11,638,668

DRUG CONTROL COORDINATION

2659 SALARIES AND BENEFITS POSITIONS	5.00	
FROM GENERAL REVENUE FUND	393,147	
2660 LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION		
FROM GENERAL REVENUE FUND	82,048	
2661 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,083	
2662 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF JUVENILE JUSTICE		
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,000,000
2663 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY TRIALS INITIATIVE GRANTS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		360,611
2664 SPECIAL CATEGORIES ENFORCING UNDERAGE DRINKING LAWS - BLOCK GRANT		
FROM GRANTS AND DONATIONS TRUST FUND . . .		176,556

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2665 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,380	
TOTAL: DRUG CONTROL COORDINATION		
FROM GENERAL REVENUE FUND	478,658	
FROM TRUST FUNDS		1,537,167
TOTAL POSITIONS	5.00	
TOTAL ALL FUNDS		2,015,825

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM

2666 SALARIES AND BENEFITS POSITIONS	43.00	
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		3,794,132
2667 LUMP SUM LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		1,274,642
2668 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		16,842
2669 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		17,444
TOTAL: LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
FROM TRUST FUNDS		5,103,060
TOTAL POSITIONS	43.00	
TOTAL ALL FUNDS		5,103,060

EXECUTIVE PLANNING AND BUDGETING

2672 SALARIES AND BENEFITS POSITIONS	104.00	
FROM GENERAL REVENUE FUND	8,651,610	
2673 LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING		
FROM GENERAL REVENUE FUND	1,462,102	
2674 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	18,904	
2675 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	33,393	
2676 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	42,104	
TOTAL: EXECUTIVE PLANNING AND BUDGETING		
FROM GENERAL REVENUE FUND	10,208,113	

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TOTAL POSITIONS	104.00	
TOTAL ALL FUNDS		10,208,113

PROGRAM: OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,270,145

2677 SALARIES AND BENEFITS POSITIONS	21.00	
FROM GENERAL REVENUE FUND	676,273	
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		454,109
FROM GRANTS AND DONATIONS TRUST FUND . . .		37
FROM TOURISM PROMOTION TRUST FUND		426,744
2678 LUMP SUM		
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT		
FROM GENERAL REVENUE FUND	645,783	
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND		300,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		98,685
FROM GRANTS AND DONATIONS TRUST FUND . . .		750
FROM TOURISM PROMOTION TRUST FUND		104,183
2679 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	10,153	
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		3,299
FROM TOURISM PROMOTION TRUST FUND		7,868
2680 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,968	
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		2,665
FROM TOURISM PROMOTION TRUST FUND		2,504
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	1,336,177	
FROM TRUST FUNDS		1,400,844
TOTAL POSITIONS	21.00	
TOTAL ALL FUNDS		2,737,021

ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS

2681 LUMP SUM		
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT		
FROM GENERAL REVENUE FUND	79,525	
2682 LUMP SUM		
ECONOMIC DEVELOPMENT TOOLS		
FROM GENERAL REVENUE FUND	21,420,000	
FROM ECONOMIC DEVELOPMENT TRUST FUND . . .		4,961,250

Funds in Specific Appropriation 2682 shall be allocated as follows:

From non-recurring general revenue:
Economic Development Tools..... 21,420,000

From non-recurring trust funds:
Economic Development Tools - Local Match..... 4,961,250

Funds provided in Specific Appropriation 2682 for Economic Development Tools include funding for Qualified Targeted Industries, Qualified Defense Contractors, and High Impact Performance Incentives. These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

Funds from the Economic Development Trust Fund in Specific Appropriation 2682 represent local match funds.

2683 SPECIAL CATEGORIES
GRANTS AND AIDS - BLACK BUSINESS INVESTMENT BOARD
FROM GENERAL REVENUE FUND 451,210

Funds in Specific Appropriation 2683 in the amount of $95,000 non-recurring and $356,210 recurring for operations are appropriated to Florida's Black Business Investment Board. In the event that Senate Bill 2096, House Bill 1553, or similar legislation does not become law, no funds in Specific Appropriation 2683 may be used for the Black Business Investment Board, and all funds must be transferred, by budget amendment pursuant to the provisions of chapter 216, Florida Statutes, to the Department of Community Affairs for the Front Porch Florida Program.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Auditor General shall jointly conduct a comprehensive program review of the Black Business Investment Board, its subsidiaries or affiliates, and all nine Black Business Investment Corporations in the individual and collective performance of their statutory and contract duties imposed under sections 288.707-714, Florida Statutes. OPPAGA and the Auditor General shall provide a report of their findings and recommendations for legislative changes to the program by February 1, 2007 to the Governor, the President of the Senate and the Speaker of the House of Representatives.

2683A SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM
FROM GENERAL REVENUE FUND 400,000

2685 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS
FROM GENERAL REVENUE FUND 4,334,231

A portion of the funds provided in Specific Appropriation 2685 shall be allocated as follows:

FL Assoc. of Volunteer Action/Caribbean & Americas (FAVACA).	650,000
SE Japan Association/Florida Korea Economic Coop. Comm.....	150,000
Gulf of Mexico States Accord (GoMSA) Secretariat.....	50,000
Implementation of the Haiti Initiative.....	1,000,000
Florida International Business Expansion Initiative.....	1,900,000

From the funds provided in Specific Appropriation 2685 for the International Business Expansion Initiative, the Office of Tourism, Trade and Economic Development may authorize funds to be used by Enterprise Florida, Inc. and grant recipients of the funds for administration of the program, not to exceed 10 percent of the funds.

2685A SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM GENERAL REVENUE FUND 15,727,000

Funds in Specific Appropriation 2685A shall be allocated as follows:

State Flag Manufacture by People with Disabilities - Dade County.....	75,000
Community Youth Center - Baker County.....	100,000
Beaver Street Enterprise Center - Fresh Ministries Duval County.....	350,000
Latin American Chamber of Commerce, CAMACOL/Florida Trade Dade County.....	300,000
Science Comes to Life at Metro Zoo's Dr. Wilde's World.....	100,000
Town of Surfside Community Center	

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Dade County	250,000
Marco Island YMCA Expansion Plan - Collier County	300,000
Coconut Creek Parkway Education Corridor	200,000
Community Center Roof Replacement - Palm Beach County	180,000
Southwest Florida Teen Challenge Community Outreach Center - Lee County	300,000
Southeast U.S./Japan Conference, Florida Delegation, SEUS/Japan	250,000
Enterprise Community of SW Florida	200,000
Lake Mary Community Building - Orange County	100,000
Old Bostwick Schoolhouse Renovations - Putnam County	292,000
NMSDC/FRMBC National Conference - Florida Regional Minority Business Council	50,000
International Services Network (ISN) - Greater Miami Chamber of Commerce	300,000
Miami International Film Festival - Dade County	50,000
Commercial Revitalization - Cinco Bayou - Okaloosa County	300,000
City of Belle Glade Boat Lock - Palm Beach County	1,500,000
Polk County Business Incubator	75,000
Puerto Rican Community/Enterprise Center	50,000
City of Blountstown Municipal Replacement Building - Calhoun County	125,000
World Trade Center - Tampa Bay	500,000
Historic Fish House - Indian River County	300,000
Okaloosa County Agricultural/City of Crestview Multi-Purpose Facility	250,000
Davis Street Community Police Sub-station and Wellness Clinic - Duval County	250,000
Barwick Road Pedestrian Connection - Palm Beach County	70,000
Lynx Replacement - CFRTA Hybrid Electric Bus Procurement Program - City of Orlando	300,000
Central Florida Regional Transportation Passenger Shelter Program	300,000
Dania Beach Street Lighting Project - Broward County	100,000
Internationalizing the Economy of Tampa Bay	250,000
Business Redevelopment of Lowry Park Zoo	100,000
Intergenerational Mentoring - Dade County	10,000
SBA NEC/Business Incubator Center - City of Orlando	100,000
Tampa Riverwalk Project - Hillsborough County	2,000,000
Tampa Riverwalk Parking Garage - Hillsborough County	2,500,000
St. Lucie County Education and Research Park - Main Building	3,100,000
Exponica International - Miami-Dade	50,000
International Conference- Florida Conference on Democracy in the Hemisphere	100,000

Funds provided in Specific Appropriation 2685A for the Tampa Riverwalk are contingent upon the provision of an equal amount of local match.

Funds provided in Specific Appropriation 2685A for the Tampa Riverwalk Parking Garage are contingent upon the provision of an equal amount of matching funds.

2686 SPECIAL CATEGORIES
GRANTS AND AIDS - LIFE SCIENCE, INDUSTRY ENHANCEMENT AND PROMOTION
FROM GENERAL REVENUE FUND 2,500,000

From the funds in Specific Appropriation 2686, $2,500,000 is provided for the Andrews Institute of Orthopedic Science and Research.

2687 SPECIAL CATEGORIES
SUNSHINE STATE GAMES
FROM GENERAL REVENUE FUND 200,000

2688 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS FOUNDATION
FROM PROFESSIONAL SPORTS DEVELOPMENT TRUST FUND 2,750,000

2689 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA PROGRAM
FROM GENERAL REVENUE FUND 7,600,000

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FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 4,900,000

Funds in Specific Appropriation 2689 shall be allocated as follows:

From non-recurring general revenue funds:

Expansion, Retention & Recruitment	3,400,000
National Marketing	2,100,000
Florida Trade and Exhibition Center	300,000
Special Needs	800,000
International Programs	1,000,000

From recurring trust funds:

International Programs	4,900,000

2690 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM GENERAL REVENUE FUND 4,400,000

Funds in Specific Appropriation 2690 shall be allocated as follows:

From non-recurring general revenue funds:

Military Base Protection	3,400,000
Defense Reinvestment	1,000,000

2691 SPECIAL CATEGORIES
ECONOMIC RECOVERY ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 784,200

Funds in Specific Appropriation 2691 provide a portion of the state match of $1,000,000 required for a federal Economic Adjustment Assistance Award granted in October, 2004 by the U.S. Department of Commerce-Economic Development Administration, award number 04-79-05513, to promote economic recovery in Florida counties post catastrophic events.

2692 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA COMMISSION ON TOURISM
FROM GENERAL REVENUE FUND 4,400,000
FROM TOURISM PROMOTION TRUST FUND 20,299,209

2692A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 399

2693 SPECIAL CATEGORIES
FILM AND ENTERTAINMENT
FROM GENERAL REVENUE FUND 20,753,296

Funds in Specific Appropriation 2693 shall be allocated as follows:

From non-recurring general revenue funds:

Film and Entertainment - Operations	753,296
Film and Entertainment - Incentives	20,000,000

Funds in Specific Appropriation 2693 for incentives may be spent by the Office of Tourism, Trade and Economic Development provided that House Bill 1321 or Senate Bill 2110 or substantially similar legislation does not become law to create tax credits for the film and entertainment industry.

From the funds provided in Specific Appropriation 2693, the Office of Tourism, Trade and Economic Development shall develop an annual report on the use of funds to include a listing and description of grant recipients, estimated return on investment of state funds, and information on intangible benefits to the state derived from the expenditure of grant funds.

2694 SPECIAL CATEGORIES
GRANTS AND AIDS - BROWNFIELDS

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REDEVELOPMENT PROJECT
FROM GENERAL REVENUE FUND 950,000
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 237,500

2696 SPECIAL CATEGORIES
RURAL COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 400,000
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 900,000

2697 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE
FROM GENERAL REVENUE FUND 5,700,000

Funds in Specific Appropriation 2697 from non-recurring general revenue shall be allocated as follows:

From non-recurring general revenue funds:
Defense Infrastructure..... 3,000,000
Rural Infrastructure..... 2,700,000

Funds in Specific Appropriation 2697 for rural infrastructure grants shall be awarded pursuant to section 288.0655, Florida Statutes.

2698 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND 15,250,000

A portion of the funds in Specific Appropriation 2698 shall be allocated as follows:

Landscape Study US 1 - Village of Tequesta..... 250,000
Lake Wales Municipal Airport Economic Development Project... 3,000,000
S.W. 11th Avenue Bridge Repair Project - Broward County..... 200,000
Coral Gables Trolley Program - Dade County..... 200,000
Hangar Construction - Okaloosa County..... 1,000,000
NW 40th Street Sidewalk/Curbing Drainage Improvement..... 100,000
Intersection Improvements at State Road 60 and Royal Palm - Indian River County..... 500,000

TOTAL: ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS
FROM GENERAL REVENUE FUND 90,099,861
FROM TRUST FUNDS 49,297,959

TOTAL ALL FUNDS 139,397,820

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,385,139

2699 SALARIES AND BENEFITS POSITIONS 302.00
FROM GENERAL REVENUE FUND 5,039
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 13,570,519
FROM GRANTS AND DONATIONS TRUST FUND . . . 118,341
FROM LAW ENFORCEMENT TRUST FUND 132,700

2700 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 96,785
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,000

2701 EXPENSES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,256,105
FROM GRANTS AND DONATIONS TRUST FUND . . . 51,863
FROM LAW ENFORCEMENT TRUST FUND 7,516

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2702 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 663,416

2703 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 22,282
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 200,530

2704 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 53,899

2705 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 569,191

2706 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 240,558

2707 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 954,055
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,051,630

2708 FIXED CAPITAL OUTLAY
FIRE ALARM SYSTEM CODE UPGRADE, NEIL KIRKMAN BUILDING
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 279,500

2709 FIXED CAPITAL OUTLAY
NEIL KIRKMAN BUILDING - AIR CONDITIONING REPLACEMENT
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,556,700

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 981,376
FROM TRUST FUNDS 19,899,253

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 20,880,629

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE 99,975,350

2710 SALARIES AND BENEFITS POSITIONS 2,357.00
FROM GENERAL REVENUE FUND 116,613,858
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 29,196,192
FROM GAS TAX COLLECTION TRUST FUND 244,156
FROM GRANTS AND DONATIONS TRUST FUND . . . 110,535
FROM LAW ENFORCEMENT TRUST FUND 345,806

2711 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,500
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 11,883,069
FROM GRANTS AND DONATIONS TRUST FUND . . . 103,000
FROM LAW ENFORCEMENT TRUST FUND 345,000

2712 EXPENSES
FROM GENERAL REVENUE FUND 1,919,086
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,283,956
FROM GRANTS AND DONATIONS TRUST FUND . . . 890,806
FROM LAW ENFORCEMENT TRUST FUND 118,203
FROM FEDERAL EQUITABLE SHARING TRUST FUND 193,673

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2713	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	169,331	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,347,296
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,033,210
	FROM FEDERAL EQUITABLE SHARING TRUST FUND		263,100
2714	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	2,711,779	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		9,729,686
	FROM GRANTS AND DONATIONS TRUST FUND . . .		117,000
2715	SPECIAL CATEGORIES		
	800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,100,000
2716	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	144,997	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		587,313
2717	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	2,628,579	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		7,661,631
	FROM GRANTS AND DONATIONS TRUST FUND . . .		20,250
2718	SPECIAL CATEGORIES		
	AUXILLIARY UNIFORMS AND EQUIPMENT		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		150,000
2719	SPECIAL CATEGORIES		
	PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS		
	FROM HIGHWAY PATROL INSURANCE TRUST FUND .		325,995
2720	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,358,645	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,757,216
2721	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	1,074,060	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		741,418
	FROM GRANTS AND DONATIONS TRUST FUND . . .		15,600
2722	SPECIAL CATEGORIES		
	TRANSFER TO HIGHWAY PATROL INSURANCE TRUST FUND		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		325,995
2723	SPECIAL CATEGORIES		
	MOBILE DATA TERMINAL SYSTEM		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		4,714,774
2724	FIXED CAPITAL OUTLAY		
	MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,001,550
2724A	FIXED CAPITAL OUTLAY		
	NEW FLORIDA HIGHWAY PATROL STATION - PINELLAS PARK, PINELLAS COUNTY		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,200,000
2724B	FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS - 2005 HURRICANES - AGY MGD		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		628,000

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	TOTAL: HIGHWAY SAFETY		
	FROM GENERAL REVENUE FUND	129,642,835	
	FROM TRUST FUNDS		88,434,430
	TOTAL POSITIONS	2,357.00	
	TOTAL ALL FUNDS		218,077,265

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,753,767

2725	SALARIES AND BENEFITS POSITIONS	27.00	
	FROM GENERAL REVENUE FUND	2,240,811	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		103,435
2726	EXPENSES		
	FROM GENERAL REVENUE FUND	192,102	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		96,000
2727	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	8,000	
2728	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	19,838	
2729	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,135	
2730	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	2,790	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		5,000
2731	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	65,559	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		5,239
2732	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	20,315	
	TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	2,553,550	
	FROM TRUST FUNDS		209,674
	TOTAL POSITIONS	27.00	
	TOTAL ALL FUNDS		2,763,224

PROGRAM: LICENSES, TITLES AND REGULATIONS

DRIVER LICENSURE

APPROVED SALARY RATE 35,711,844

2733	SALARIES AND BENEFITS POSITIONS	1,317.00	
	FROM GENERAL REVENUE FUND	459,609	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		48,450,193
	FROM GRANTS AND DONATIONS TRUST FUND . . .		91,054
2734	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		913,368
	FROM GRANTS AND DONATIONS TRUST FUND . . .		59,850
2735	EXPENSES		
	FROM GENERAL REVENUE FUND	49,082	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		12,912,659
	FROM GRANTS AND DONATIONS TRUST FUND . . .		56,610
2736	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	55,720	

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FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,254,363
FROM GRANTS AND DONATIONS TRUST FUND . . .		106,856
2737 SPECIAL CATEGORIES		
DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO STATE AGENCIES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		218,900
2738 SPECIAL CATEGORIES		
DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO NON-PROFIT AGY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		698,000
2739 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		495,311
2739A SPECIAL CATEGORIES		
DOMESTIC SECURITY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		535,000
2740 SPECIAL CATEGORIES		
AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,200,000
2741 SPECIAL CATEGORIES		
PAYMENT TO OUTSIDE CONTRACTOR		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,103,179
2742 SPECIAL CATEGORIES		
PURCHASE OF DRIVER LICENSES		
FROM GENERAL REVENUE FUND	588,065	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		9,298,288
2743 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		708,108
2744 SPECIAL CATEGORIES		
TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		6,295,000
2745 FIXED CAPITAL OUTLAY		
MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		900,000
2745A FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - 2005 HURRICANES - AGY MGD		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		456,181
TOTAL: DRIVER LICENSURE		
FROM GENERAL REVENUE FUND	1,152,476	
FROM TRUST FUNDS		85,752,920
TOTAL POSITIONS	1,317.00	
TOTAL ALL FUNDS		86,905,396

MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE

APPROVED SALARY RATE 1,525,239

2746 SALARIES AND BENEFITS POSITIONS 56.00		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,120,448
2747 EXPENSES		
FROM GENERAL REVENUE FUND	2,367	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		277,215

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2748 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		5,150
2749 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		29,623
TOTAL: MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE		
FROM GENERAL REVENUE FUND	2,367	
FROM TRUST FUNDS		2,432,436
TOTAL POSITIONS	56.00	
TOTAL ALL FUNDS		2,434,803

IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS

APPROVED SALARY RATE 6,685,372

2750 SALARIES AND BENEFITS POSITIONS 217.00		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		8,426,526
FROM DRIVING UNDER THE INFLUENCE (DUI) SCHOOL COORDINATION TRUST FUND		492,238
FROM GRANTS AND DONATIONS TRUST FUND . . .		91,862
2751 OTHER PERSONAL SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		630,412
FROM DRIVING UNDER THE INFLUENCE (DUI) SCHOOL COORDINATION TRUST FUND		182,550
FROM GRANTS AND DONATIONS TRUST FUND . . .		700,917
2752 EXPENSES		
FROM GENERAL REVENUE FUND	31,477	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,209,656
FROM DRIVING UNDER THE INFLUENCE (DUI) SCHOOL COORDINATION TRUST FUND		128,540
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,039,862
2753 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		71,450
FROM DRIVING UNDER THE INFLUENCE (DUI) SCHOOL COORDINATION TRUST FUND		7,730
FROM GRANTS AND DONATIONS TRUST FUND . . .		405,428
2754 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		30,125
2755 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		110,556
FROM DRIVING UNDER THE INFLUENCE (DUI) SCHOOL COORDINATION TRUST FUND		4,232
TOTAL: IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS		
FROM GENERAL REVENUE FUND	31,477	
FROM TRUST FUNDS		13,532,084
TOTAL POSITIONS	217.00	
TOTAL ALL FUNDS		13,563,561

MOBILE HOME COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 1,197,219

2756 SALARIES AND BENEFITS POSITIONS 38.00		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,588,562
2757 EXPENSES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		148,244
2758 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		30,000

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2759 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,403

2760 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 20,949

TOTAL: MOBILE HOME COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 1,790,158

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 1,790,158

VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES

APPROVED SALARY RATE 12,253,338

2761 SALARIES AND BENEFITS POSITIONS 413.00
FROM GENERAL REVENUE FUND 88,484
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 13,392,607
FROM GAS TAX COLLECTION TRUST FUND 2,834,640

2762 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 270,274
FROM GAS TAX COLLECTION TRUST FUND 11,438
FROM GRANTS AND DONATIONS TRUST FUND . . . 40,000

2763 EXPENSES
FROM GENERAL REVENUE FUND 11,672
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 3,782,301
FROM GAS TAX COLLECTION TRUST FUND 553,115
FROM GRANTS AND DONATIONS TRUST FUND . . . 170,000

2764 AID TO LOCAL GOVERNMENTS
DISTRIBUTION TO SCHOOLS - MOBILE HOME DECAL REVENUE
FROM LICENSE TAX COLLECTION TRUST FUND . . 10,500,000

2765 AID TO LOCAL GOVERNMENTS
DISTRIBUTION TO COUNTIES - MOBILE HOME DECAL REVENUE
FROM LICENSE TAX COLLECTION TRUST FUND . . 6,120,000

2766 AID TO LOCAL GOVERNMENTS
DISTRIBUTION TO CITIES - MOBILE HOME DECAL REVENUE
FROM LICENSE TAX COLLECTION TRUST FUND . . 4,880,000

2767 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 326,341
FROM GAS TAX COLLECTION TRUST FUND 5,001
FROM GRANTS AND DONATIONS TRUST FUND . . . 80,000

2768 SPECIAL CATEGORIES
DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO STATE AGENCIES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 245,000

2769 SPECIAL CATEGORIES
DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO NON-PROFIT AGY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 285,000

2770 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 238,746
FROM GAS TAX COLLECTION TRUST FUND 3,040

2771 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,109,750

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2772 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASE OF LICENSE PLATES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 11,477,636

From the funds provided in Specific Appropriation 2772, the Department of Highway Safety and Motor Vehicles shall provide free license plates to National Guard members if such authority is granted by law.

2773 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 190,139
FROM GAS TAX COLLECTION TRUST FUND 37,586

2774 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 143,350

TOTAL: VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES
FROM GENERAL REVENUE FUND 100,156
FROM TRUST FUNDS 57,695,964

TOTAL POSITIONS 413.00
TOTAL ALL FUNDS 57,796,120

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,167,039

2775 SALARIES AND BENEFITS POSITIONS 40.00
FROM GENERAL REVENUE FUND 144,306
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,665,735

2776 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 40,000

2777 EXPENSES
FROM GENERAL REVENUE FUND 2,667
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 169,130

2778 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 75,323

2779 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 4,659

2780 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 21,467

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 146,973
FROM TRUST FUNDS 2,976,314

TOTAL POSITIONS 40.00
TOTAL ALL FUNDS 3,123,287

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,888,259

2781 SALARIES AND BENEFITS POSITIONS 192.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,000,356
FROM GRANTS AND DONATIONS TRUST FUND . . . 53,937

2782 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,074,208
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,830

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2783 EXPENSES		
FROM GENERAL REVENUE FUND	2,337,860	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		6,710,771
FROM GAS TAX COLLECTION TRUST FUND		213,265
FROM LAW ENFORCEMENT TRUST FUND		3,752
2784 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		911,906
2785 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	189,159	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		547,128
FROM GAS TAX COLLECTION TRUST FUND		17,333
2786 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		31,101
2787 SPECIAL CATEGORIES		
TAX COLLECTOR NETWORK - COUNTY SYSTEMS		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		9,290,647
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	2,527,019	
FROM TRUST FUNDS		29,863,234
TOTAL POSITIONS	192.00	
TOTAL ALL FUNDS		32,390,253

LEGISLATIVE BRANCH

SENATE

2788 LUMP SUM		
SENATE		
FROM GENERAL REVENUE FUND	39,195,995	

HOUSE OF REPRESENTATIVES

2789 LUMP SUM		
HOUSE		
FROM GENERAL REVENUE FUND	61,300,202	

LEGISLATIVE SUPPORT SERVICES

2790 LUMP SUM		
LEGISLATIVE SUPPORT SERVICES - SENATE		
FROM GENERAL REVENUE FUND	24,022,639	
FROM GRANTS AND DONATIONS TRUST FUND . . .		950,000
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		135,240
2791 LUMP SUM		
LEGISLATIVE SUPPORT SERVICES - HOUSE		
FROM GENERAL REVENUE FUND	24,022,638	
FROM GRANTS AND DONATIONS TRUST FUND . . .		950,000
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		135,241
2792 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	319,895	
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND		23,377
TOTAL: LEGISLATIVE SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	48,365,172	
FROM TRUST FUNDS		2,193,858

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TOTAL ALL FUNDS		50,559,030

ADMINISTRATIVE PROCEDURES COMMITTEE

2794 LUMP SUM		
ADMINISTRATIVE PROCEDURES		
FROM GENERAL REVENUE FUND	1,320,350	
2794A SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,609	
TOTAL: ADMINISTRATIVE PROCEDURES COMMITTEE		
FROM GENERAL REVENUE FUND	1,322,959	
TOTAL ALL FUNDS		1,322,959

INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON

2795 LUMP SUM		
LEGISLATIVE COMMITTEE ON INTERGOVERNMENTAL RELATIONS		
FROM GENERAL REVENUE FUND	941,488	
2795A SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,606	
TOTAL: INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON		
FROM GENERAL REVENUE FUND	943,094	
TOTAL ALL FUNDS		943,094

OFFICE OF PUBLIC COUNSEL

2796 LUMP SUM		
PUBLIC COUNSEL		
FROM GENERAL REVENUE FUND	2,292,025	
2796A SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	6,929	
TOTAL: OFFICE OF PUBLIC COUNSEL		
FROM GENERAL REVENUE FUND	2,298,954	
TOTAL ALL FUNDS		2,298,954

ETHICS, COMMISSION ON

2797 LUMP SUM		
LOBBY REGISTRATION		
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND		122,024
2798 LUMP SUM		
ETHICS COMMISSION		
FROM GENERAL REVENUE FUND	2,440,444	
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND		5,685
2799 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	88,651	
2800 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	3,105	
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND		134

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TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,532,200
FROM TRUST FUNDS 127,843

TOTAL ALL FUNDS 2,660,043

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

2801 EXPENSES
FROM GENERAL REVENUE FUND 79,072

PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

2802 LUMP SUM
PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY
FROM GENERAL REVENUE FUND 9,503,463

2803 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 28,033

TOTAL: PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY, OFFICE OF
FROM GENERAL REVENUE FUND 9,531,496

TOTAL ALL FUNDS 9,531,496

AUDITOR GENERAL

2804 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 41,723,709

2806 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 120,699

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 41,844,408

TOTAL ALL FUNDS 41,844,408

AUDITING COMMITTEE

2807 LUMP SUM
AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 399,896

2808 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 534

TOTAL: AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 400,430

TOTAL ALL FUNDS 400,430

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 17,884,715

2809 SALARIES AND BENEFITS POSITIONS 440.00
FROM ADMINISTRATIVE TRUST FUND 24,836,501

2810 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 748,296

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2811 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 8,639,368

From the funds provided in Specific Appropriation 2811, the Department of 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 President of the Senate, the Speaker of the House of Representatives, the Office of Program Policy Analysis and Government Accountability, and the Joint Legislative Auditing Committee.

2812 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 1,315,477

2813 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND 200,000

2814 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,000,000

2815 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM ADMINISTRATIVE TRUST FUND 57,037,575

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2815 in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2816 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM ADMINISTRATIVE TRUST FUND 34,869,453

From the funds in Specific Appropriation 2816, the Department of Lottery is authorized to utilize up to $1,300,000 for the purpose of contracting with an appropriate Florida organization to conduct a compulsive gambling program.

2817 SPECIAL CATEGORIES
ONLINE GAMES CONTRACT
FROM ADMINISTRATIVE TRUST FUND 25,979,451

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2817 in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2817 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.

2818 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM ADMINISTRATIVE TRUST FUND 2,500,000

The Department of Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2818 in the event actual ticket sales on a newly-launched game exceeds or is anticipated to exceed the original sales projections for the game which has resulted in increased retailer incentive payments. The budget amendment request must be justified with information showing that actual sales have or will exceed the original projected sales for the specific game.

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2819 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 361,007

2820 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 23,400

2820A SPECIAL CATEGORIES
TRANSFER TO EDUCATIONAL ENHANCEMENT TRUST FUND
FROM ADMINISTRATIVE TRUST FUND 4,000,000

Funds in Specific Appropriation 2820A provide budget authority to transfer unencumbered funds remaining in the Administrative Trust Fund at the end of Fiscal Year 2005-2006. In accordance with section 24.121(4), Florida Statutes, and upon the completion of the annual financial statement audit for the period ending June 30, 2006, the department shall transfer the unencumbered cash balance in the Administrative Trust Fund to the Educational Enhancement Trust Fund. If the unencumbered cash balance is less than $4,000,000, the remaining budget authority shall revert to the Administrative Trust Fund. In the event the June 30, 2006, unencumbered cash balance exceeds $4,000,000, the department shall submit a budget amendment in accordance with chapter 216, Florida Statutes, and, upon approval, transfer the remaining balance.

2821 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 177,072

TOTAL: PROGRAM: LOTTERY OPERATIONS
FROM TRUST FUNDS 162,687,600

TOTAL POSITIONS 440.00
TOTAL ALL FUNDS 162,687,600

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,123,331

2822 SALARIES AND BENEFITS POSITIONS 81.50
FROM ADMINISTRATIVE TRUST FUND 5,312,146

2823 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 8,700

2824 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 786,867

2825 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 71,240

2826 SPECIAL CATEGORIES
MAIL SERVICES
FROM ADMINISTRATIVE TRUST FUND 200,016

2827 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 42,871

2828 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 32,765

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2829 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND 447,080

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 6,901,685

TOTAL POSITIONS 81.50
TOTAL ALL FUNDS 6,901,685

STATE EMPLOYEE LEASING

APPROVED SALARY RATE 470,629

2830 SALARIES AND BENEFITS POSITIONS 7.00
FROM ADMINISTRATIVE TRUST FUND 678,441

2831 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 2,806

TOTAL: STATE EMPLOYEE LEASING
FROM TRUST FUNDS 681,247

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 681,247

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE 9,655,393

2832 SALARIES AND BENEFITS POSITIONS 305.50
FROM SUPERVISION TRUST FUND 12,717,811

From the funds provided in Specific Appropriation 2832, $250,000 from the Supervision Trust Fund shall be held in reserve contingent upon the Department of Management Services implementing a revised organizational structure for the Division of Facilities Management and Building Construction that eliminates three Senior Management or Select Exempt Service positions. Upon implementation of the revised structure, the department may submit a budget amendment in accordance with chapter 216, Florida Statutes, requesting release of the funds.

2833 OTHER PERSONAL SERVICES
FROM SUPERVISION TRUST FUND 17,000

2834 EXPENSES
FROM SUPERVISION TRUST FUND 5,496,206

2834A AID TO LOCAL GOVERNMENTS
CITY OF TALLAHASSEE - CAPITAL CITY PLAZA
FROM GENERAL REVENUE FUND 400,000

2834B AID TO LOCAL GOVERNMENTS
GRANT AND AIDS - DEBT SERVICE PAYMENT
FROM GENERAL REVENUE FUND 5,000,000

2835 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND 80,000

2836 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - CAPITOL POLICE
FROM SUPERVISION TRUST FUND 5,232,532

2837 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SUPERVISION TRUST FUND 6,942,675

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2838 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND 1,322,854

2839 SPECIAL CATEGORIES
INTERIOR REFURBISHMENT - LEASE SPACE
FROM SUPERVISION TRUST FUND 1,086,472

2840 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,058,734

Funds provided in Specific Appropriation 2840 are contingent upon the submission of an updated project plan by the Department of Management Services. The department is authorized to request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The release request shall be accompanied by the plan, including but 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 funds shall be used for the refurbishment of master lease space for occupancy by the Department of Revenue.

2841 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 369,362

2842 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 16,198,857

2844 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 122,101

2845 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SUPERVISION TRUST FUND 152,902

2847 FIXED CAPITAL OUTLAY
PLANNING/DESIGN/CONSTRUCTION - CAPITAL
CIRCLE OFFICE COMPLEX PARCEL 2 - LEON
COUNTY - DMS MGD
FROM GENERAL REVENUE FUND 18,000,000
FROM PUBLIC FACILITIES FINANCING TRUST
FUND 96,000,000

Funds in Specific Appropriation 2847 are provided to the Department of Management Services for site development and construction of office buildings for the Department of Revenue on Parcel 2 at the Capital Circle Office Complex to fulfill the requirements of the April 16, 1999, Special Warranty Deed, that prevent the automatic reversion of Parcels 3 and 4 to the St. Joe Company. The buildings must be constructed using the Leadership in Energy and Environmental Design national standards for construction.

The department must prepare a master transition plan to address the occupancy of the new facilities and the strategy for backfilling or eliminating vacated state-owned and privately-leased office buildings or space in Leon County. The plan should include rental rates and occupancy percentages for movement of agency personnel in or out of state-owned and privately-leased facilities. The department, in conjunction with the Department of Revenue, should also address, in the plan, the transition of information technology systems to the Shared Resource Center at the Capital Circle Office Complex. The master transition plan must be submitted to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council by March 1, 2007.

2847A FIXED CAPITAL OUTLAY
PLANNING/DESIGN/SITE DEVELOPMENT - CAPITAL
CIRCLE OFFICE COMPLEX - PARCEL 4 - LEON
COUNTY - DMS MGD
FROM GENERAL REVENUE FUND 7,000,000

Funds in Specific Appropriation 2847A are provided to the Department of Management Services to initiate the planning, design, and site development phase for an office building on Parcel 4 at the Capital Circle Office Complex.

2848 FIXED CAPITAL OUTLAY
COMPLIANCE WITH THE AMERICANS WITH
DISABILITIES ACT
FROM SUPERVISION TRUST FUND 59,232

2849 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM SUPERVISION TRUST FUND 1,422,282

2850 FIXED CAPITAL OUTLAY
ENVIRONMENTAL PROJECTS - DMS MGD
FROM SUPERVISION TRUST FUND 609,500

2851 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM SUPERVISION TRUST FUND 8,908,986

From the funds provided in Specific Appropriation 2851, $350,000 is for the installation of parking equipment in garages C, D and E in the Capitol Center.

2851A FIXED CAPITAL OUTLAY
OLD CAPITOL RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 238,528

2852 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM FLORIDA FACILITIES POOL CLEARING
TRUST FUND 29,906,673

2853 FIXED CAPITAL OUTLAY
DEBT SERVICE NEW ISSUES
FROM GENERAL REVENUE FUND 3,700,000

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 34,338,528
FROM TRUST FUNDS 187,704,179

TOTAL POSITIONS 305.50
TOTAL ALL FUNDS 222,042,707

BUILDING CONSTRUCTION

Funds in Specific Appropriations 2854 through 2859 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 2006-2007 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.

APPROVED SALARY RATE 546,673

2854 SALARIES AND BENEFITS POSITIONS 11.00
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 853,957

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2855 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 236,437

2856 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 50,284

2857 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 1,596

2858 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 4,409

2859 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 33,951

2860 FIXED CAPITAL OUTLAY
SUPPLEMENTAL CONTRACTS - PROJECTS LESS THAN $100,000 STATEWIDE - DMS MGD
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 700,000

TOTAL: BUILDING CONSTRUCTION
FROM TRUST FUNDS 1,880,634

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 1,880,634

PROGRAM: SUPPORT PROGRAM

AIRCRAFT MANAGEMENT

APPROVED SALARY RATE 743,490

2861 SALARIES AND BENEFITS POSITIONS 15.00
FROM BUREAU OF AIRCRAFT TRUST FUND 973,005

2862 OTHER PERSONAL SERVICES
FROM BUREAU OF AIRCRAFT TRUST FUND 39,420

2863 EXPENSES
FROM GENERAL REVENUE FUND 2,470
FROM BUREAU OF AIRCRAFT TRUST FUND 1,357,449

2864 OPERATING CAPITAL OUTLAY
FROM BUREAU OF AIRCRAFT TRUST FUND 551,200

2865 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM BUREAU OF AIRCRAFT TRUST FUND 3,587

2866 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM BUREAU OF AIRCRAFT TRUST FUND 2,038

2867 SPECIAL CATEGORIES
SPECIAL CATEGORIES- AIRCRAFT MAINTENANCE AND REPAIRS
FROM GENERAL REVENUE FUND 176,845

2868 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM BUREAU OF AIRCRAFT TRUST FUND 6,012

2869 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM BUREAU OF AIRCRAFT TRUST FUND 9,494

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TOTAL: AIRCRAFT MANAGEMENT
FROM GENERAL REVENUE FUND 179,315
FROM TRUST FUNDS 2,942,205

TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 3,121,520

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE 167,871

2870 SALARIES AND BENEFITS POSITIONS 5.00
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 222,081

2871 EXPENSES
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 63,129

2872 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 6,379

2873 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 2,228

2874 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 2,004

2875 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 12,561

TOTAL: FEDERAL PROPERTY ASSISTANCE
FROM TRUST FUNDS 308,382

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 308,382

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE 449,356

2876 SALARIES AND BENEFITS POSITIONS 9.00
FROM GRANTS AND DONATIONS TRUST FUND . . . 724,020

2877 EXPENSES
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,237

2878 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 232

2879 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,929

2880 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,607

2881 SPECIAL CATEGORIES
PAYMENT OF EXPENSES FROM SALE OF AGENCY

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VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . 650,000

2882 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GRANTS AND DONATIONS TRUST FUND . . . 262,500

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,785,525

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 1,785,525

PURCHASING OVERSIGHT

APPROVED SALARY RATE 2,913,421

2883 SALARIES AND BENEFITS POSITIONS 60.00
FROM GENERAL REVENUE FUND 771,896
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,970,822

2884 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,956
FROM GRANTS AND DONATIONS TRUST FUND . . . 35,000

2885 EXPENSES
FROM GENERAL REVENUE FUND 350,842
FROM GRANTS AND DONATIONS TRUST FUND . . . 401,626

2886 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,700
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,000

2888 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 207
FROM GRANTS AND DONATIONS TRUST FUND . . . 41,126

2889 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,404
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,016

2890 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM GENERAL REVENUE FUND 50,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 120,000

2891 SPECIAL CATEGORIES
3RD PARTY MONITORING - WEB-BASED E-PROCUREMENT SYSTEM CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 86,400

2892 SPECIAL CATEGORIES
WEB-BASED E-PROCUREMENT SYSTEM
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,457,000

Funds provided in Specific Appropriation 2892 are contingent upon the deposit into the Department of Management Services' Grants and Donations Trust Fund of the transaction fee authorized under section 287.057(23)(c), Florida Statutes, for payment of the MyFloridaMarketPlace contract after all expenditures for the department's purchasing functions have been satisfied. The department may request release of funds pursuant to the provisions of chapter 216, Florida Statutes. Such a request shall document that transaction fee revenues are available for payment of the contract. Should revenues available for payment under the contract exceed the amount of budget authority appropriated, the department is authorized to request a budget amendment pursuant to the provisions of chapter 216, Florida Statutes.

2893 SPECIAL CATEGORIES
PURCHASING BILLING AND COLLECTION CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 900,000

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Funds in Specific Appropriation 2893 are contingent upon the submission of a business case proposal by the Department of Management Services for billing and collection services for the state's purchasing system. The business case shall also include a comparative cost benefit analysis for the performance of this service by the state and by the purchasing system vendor to determine the cost differences. The department is authorized to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The release request shall be accompanied by the business case.

2893A SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 57,000

2893B SPECIAL CATEGORIES
PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT
FROM GRANTS AND DONATIONS TRUST FUND . . . 749,588

2894 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,815
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,431

2895 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 7,663
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,769,959

TOTAL: PURCHASING OVERSIGHT
FROM GENERAL REVENUE FUND 1,259,483
FROM TRUST FUNDS 22,633,968

TOTAL POSITIONS 60.00
TOTAL ALL FUNDS 23,893,451

OFFICE OF SUPPLIER DIVERSITY

APPROVED SALARY RATE 781,235

2896 SALARIES AND BENEFITS POSITIONS 19.00
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,046,354

2897 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,000

2898 EXPENSES
FROM GRANTS AND DONATIONS TRUST FUND . . . 225,892

2899 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 43,991

2900 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,762

2901 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,615

2902 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GRANTS AND DONATIONS TRUST FUND . . . 27,043

TOTAL: OFFICE OF SUPPLIER DIVERSITY
FROM TRUST FUNDS 1,357,657

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TOTAL POSITIONS	19.00	
TOTAL ALL FUNDS		1,357,657

WORKFORCE PROGRAMS

PROGRAM: HUMAN RESOURCE MANAGEMENT

APPROVED SALARY RATE 2,498,552

2903 SALARIES AND BENEFITS	POSITIONS	46.00	
FROM GENERAL REVENUE FUND		382,416	
FROM STATE PERSONNEL SYSTEM TRUST FUND . .			2,918,263

Funds in Specific Appropriations 2903 through 2915 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	$400.80
OPS	$132.89
Justice Administrative Commission	$289.95
State Court System	$251.17
County Health Department	$289.95

2904 OTHER PERSONAL SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		40,000
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		10,000
2905 EXPENSES		
FROM GENERAL REVENUE FUND	277,906	
FROM GRANTS AND DONATIONS TRUST FUND . . .		110,002
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		395,606
2906 OPERATING CAPITAL OUTLAY		
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		5,000
2907 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	524,181	
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		263,032

From the funds in Specific Appropriation 2907, $500,000 from the General Revenue Fund is provided for the Department of Management Services to contract for an independent audit of the off-shoring of state employee personnel data. The department shall consult with the Auditor General, in a manner as prescribed by professional auditing standards, in defining the terms of the audit engagement.

2908 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,083	
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		5,647
2909 SPECIAL CATEGORIES		
CONTRACTED LEGAL SERVICES		
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		70,000
2910 SPECIAL CATEGORIES		
HUMAN RESOURCES OUTSOURCING PROJECT MANAGEMENT		
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		110,000

No funds in Specific Appropriations 2903 through 2915 other than Specific Appropriation 2910 are authorized for the payment of contracted project management costs for the statewide human resources system, PeopleFirst.

2911 SPECIAL CATEGORIES		
SPECIAL NEEDS ADOPTION INCENTIVES		
FROM GENERAL REVENUE FUND	1,735,957	
2912 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,216	
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		16,242
2913 SPECIAL CATEGORIES		
HUMAN RESOURCES SERVICES / STATEWIDE CONTRACT		
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		44,153,424
2913A SPECIAL CATEGORIES		
PEOPLE FIRST SYSTEM - SYSTEM ENHANCEMENTS		
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		433,000
2914 SPECIAL CATEGORIES		
STATE EMPLOYEE'S CHARITABLE CAMPAIGN		
FROM GENERAL REVENUE FUND	17,000	
2915 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GENERAL REVENUE FUND	9,753	
FROM STATE PERSONNEL SYSTEM TRUST FUND . .		39,999
TOTAL: PROGRAM: HUMAN RESOURCE MANAGEMENT		
FROM GENERAL REVENUE FUND	2,950,512	
FROM TRUST FUNDS		48,570,215
TOTAL POSITIONS	46.00	
TOTAL ALL FUNDS		51,520,727

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

APPROVED SALARY RATE 1,811,369

2916 SALARIES AND BENEFITS	POSITIONS	31.00	
FROM PRETAX BENEFITS TRUST FUND			550,067
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND			19,639
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			1,854,503
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND			25,699
2917 OTHER PERSONAL SERVICES			
FROM PRETAX BENEFITS TRUST FUND			139,951
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			98,631
2918 EXPENSES			
FROM PRETAX BENEFITS TRUST FUND			89,973
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND			3,205
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			567,101
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND			5,095
2919 OPERATING CAPITAL OUTLAY			
FROM PRETAX BENEFITS TRUST FUND			67,482
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			44,773
2920 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			10,539
2921 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM PRETAX BENEFITS TRUST FUND			245,915
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND			667,146

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2922 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 38,600,000

2923 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 73,864

2924 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND 5,330
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 896
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 16,906
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 452

2925 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 25,000

2926 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PRETAX BENEFITS TRUST FUND 5,197
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 363
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 15,864
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 173

2927 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM PRETAX BENEFITS TRUST FUND 87,705
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 8,099
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 195,690
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 15,006

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 43,440,264

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 43,440,264

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,475,767

2928 SALARIES AND BENEFITS POSITIONS 194.00
FROM OPERATING TRUST FUND 9,196,351
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 95,146
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 625,705
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 37,808

Funds in Specific Appropriations 2928 through 2937 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.

2929 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 6,029

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FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 100

2930 EXPENSES
FROM OPERATING TRUST FUND 3,434,220
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 49,133
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 60,286
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 11,370

2931 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 179,697
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 4,000
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 2,500

2932 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM OPERATING TRUST FUND 52,693

2933 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 37,000
FROM INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES SUPPLEMENTAL RETIREMENT TRUST FUND 14,766
FROM OPERATING TRUST FUND 3,142,771
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 79,000
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 25,000

2934 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 133,000

2935 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 66,019

2936 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 128,400

2937 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 71,830
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 743
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 4,887
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 295

2938 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 67,416

2939 PENSIONS AND BENEFITS
DISABILITY BENEFITS TO JUSTICES AND JUDGES
FROM GENERAL REVENUE FUND 743,000

2940 PENSIONS AND BENEFITS
FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 12,760,000

2941 PENSIONS AND BENEFITS
SPECIAL PENSIONS AND RELIEF ACTS
FROM GENERAL REVENUE FUND 3,864

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2942 PENSIONS AND BENEFITS
STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)
FROM GENERAL REVENUE FUND 1,480,000

2943 PENSIONS AND BENEFITS
TEACHER'S SPECIAL PENSIONS
FROM GENERAL REVENUE FUND 8,600

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM GENERAL REVENUE FUND 15,032,464
FROM TRUST FUNDS 17,489,165

TOTAL POSITIONS 194.00
TOTAL ALL FUNDS 32,521,629

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 3,889,352

2944 SALARIES AND BENEFITS POSITIONS 76.00
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 5,101,716

2945 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 31,995

2946 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 904,318
FROM WIRELESS EMERGENCY TELEPHONE SYSTEM TRUST FUND 617,207

From the funds provided in Specific Appropriation 2946, from the Wireless Emergency Telephone System Trust Fund, the Wireless 911 Board shall report by September 30, 2006, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives the date that the wireless E911 fee can be reduced to a level which funds all counties' costs, including rural counties' costs, associated with operating and maintaining an E911 system that is technologically and competitively neutral, the providers' costs required to meet the recurring costs of providing E911 service, and the costs for the Board to manage, administer and oversee the receipts and disbursement of the fund. The Wireless 911 Board report shall take into consideration the total revenues generated from both wireless and wireline 911 fees and the total costs to the counties to operate and maintain the wireline and wireless E911 systems.

2947 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - WIRELESS 911 TELEPHONE SYSTEMS
FROM WIRELESS EMERGENCY TELEPHONE SYSTEM TRUST FUND 52,708,984

2948 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO SERVICE PROVIDERS - WIRELESS 911 TELEPHONE SYSTEMS
FROM WIRELESS EMERGENCY TELEPHONE SYSTEM TRUST FUND 28,381,761

2949 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 100,000

2950 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 129,663,826

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2951 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 87,083
FROM WIRELESS EMERGENCY TELEPHONE SYSTEM TRUST FUND 64,000

2952 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 13,543

2953 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM WIRELESS EMERGENCY TELEPHONE SYSTEM TRUST FUND 50,000

2955 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 30,749

2956 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 1,178,162

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS 218,933,344

TOTAL POSITIONS 76.00
TOTAL ALL FUNDS 218,933,344

WIRELESS SERVICES

APPROVED SALARY RATE 1,007,553

2957 SALARIES AND BENEFITS POSITIONS 16.00
FROM GENERAL REVENUE FUND 364,517
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 182,002
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 754,362

2958 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 4,000

2959 EXPENSES
FROM GENERAL REVENUE FUND 21,577
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 13,376
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 439,612

2960 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,000
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 20,000

2961 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 30,000

2962 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 393
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 1,070
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 1,434

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2963 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 20,000

2964 SPECIAL CATEGORIES
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACT PAYMENT
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 18,220,000

2964A SPECIAL CATEGORIES
PURCHASE OF REPLACEMENT RADIOS FOR THE STATEWIDE LAW ENFORCEMENT RADIO SYSTEM
FROM GENERAL REVENUE FUND 100,000

2965 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,822
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 910
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 3,770

TOTAL: WIRELESS SERVICES
FROM GENERAL REVENUE FUND 494,309
FROM TRUST FUNDS 19,686,536

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 20,180,845

INFORMATION SERVICES

The Department of Management Services shall submit to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House Fiscal Council a business plan for the operation of the Shared Resource Data Center. At a minimum, the plan must include: (1) for each service provided by the center, the projected direct and indirect costs, the proposed rates to be charged to users, the projected revenues to be collected, and the projected number of users; (2) the data center's cost allocation plan; (3) a financial statement for the data center on a cash and modified accrual basis including a list of outstanding accounts receivable by user and a list of outstanding accounts payable by vendor; and (4) a report of the data center's technology infrastructure and utilization. The business plan shall be submitted by October 1, 2006.

APPROVED SALARY RATE 2,405,571

2966 SALARIES AND BENEFITS POSITIONS 44.00
FROM GENERAL REVENUE FUND 208,870
FROM WORKING CAPITAL TRUST FUND 2,938,224

2967 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 505,854

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriations 2967, 2968, 2970, 2973, 2974, and 2975 from the Working Capital Trust Fund, in order to provide services to user agencies. Budget amendment requests must be justified with signed service level agreements with the user agencies.

2968 EXPENSES
FROM GENERAL REVENUE FUND 21,252
FROM WORKING CAPITAL TRUST FUND 3,375,887

2969 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 238,088

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2969A LUMP SUM
OFFICE OF INFORMATION SECURITY - DMS
POSITIONS 5.00
FROM GENERAL REVENUE FUND 290,557

Funds in Specific Appropriation 2969A shall not be released until after January 1, 2007, based upon the Department of Management Services' submission of an expenditure plan for approval to the Executive Office of the Governor and the chair and vice chair of the Legislative Budget Commission, in accordance with the provisions of sections 216.181(6) and 216.177, Florida Statutes.

2970 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 10,000
FROM WORKING CAPITAL TRUST FUND 3,951,929

2970A SPECIAL CATEGORIES
CHILLER EQUIPMENT - SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 500,000

2970B SPECIAL CATEGORIES
SETTLEMENT AGREEMENTS
FROM GENERAL REVENUE FUND 7,623,117

Funds in Specific Appropriation 2970B are provided to settle all claims, both existing and future, arising from, or relating to, Contract 02-STO-ITN-006 (the Contract). The Department of Management Services immediately shall offer to pay the sum of $2,438,171.07 to BearingPoint, Inc. to cover all claims by BearingPoint and its subcontractors under the Contract, based on the terms in the Settlement Offer dated April 6, 2006, from the department to BearingPoint and on this proviso. These funds are appropriated in accordance with the Settlement Offer to satisfy all claims, costs and attorney fees incurred by BearingPoint and are contingent BearingPoint's acceptance of the terms in the Settlement Offer and on BearingPoint agreeing to forever dismiss and release all claims against the State of Florida.

Funds in Specific Appropriation 2970B are provided to settle all claims, both existing and future, arising from, or relating to, Contract 02-STO-ITN-006 (the Contract). The department immediately shall offer to pay the sum of $5,184,945.76 to Accenture LLP to cover all claims by Accenture and its subcontractors under the Contract, based on the terms in the Settlement Offer dated April 6, 2006, from the department to Accenture and on this proviso. These funds are appropriated in accordance with the Settlement Offer to satisfy all claims, costs and attorney fees incurred by Accenture and are contingent Accenture's acceptance of the terms in the Settlement Offer and on Accenture agreeing to forever dismiss and release all claims against the State of Florida.

2971 SPECIAL CATEGORIES
STATE PORTAL DEVELOPMENT
FROM GENERAL REVENUE FUND 363,000

2972 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 881
FROM WORKING CAPITAL TRUST FUND 27,690

2973 SPECIAL CATEGORIES
APPLICATIONS MANAGEMENT CONTRACT FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND 500,000

2974 SPECIAL CATEGORIES
DATA PROCESSING CONTRACTS FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND 1,731,726

2975 SPECIAL CATEGORIES
DISASTER RECOVERY SERVICES CONTRACT
FROM WORKING CAPITAL TRUST FUND 1,346,208

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2976 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	962	
FROM WORKING CAPITAL TRUST FUND		17,595
2977 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM WORKING CAPITAL TRUST FUND		1,000
TOTAL: INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	9,018,639	
FROM TRUST FUNDS		14,634,201
TOTAL POSITIONS	49.00	
TOTAL ALL FUNDS		23,652,840

PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

APPROVED SALARY RATE 2,162,771

2978 SALARIES AND BENEFITS POSITIONS	35.00	
FROM GENERAL REVENUE FUND	1,560,275	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		1,209,849
2979 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	9,277	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		55,863
2980 EXPENSES		
FROM GENERAL REVENUE FUND	85,078	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		379,490
2981 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	7,399	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		5,721
2982 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	49,293	
2983 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	4,840	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		3,572
2984 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,101	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		6,282
2985 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GENERAL REVENUE FUND	22,630	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		17,498
TOTAL: PUBLIC EMPLOYEES RELATIONS		
FROM GENERAL REVENUE FUND	1,746,893	
FROM TRUST FUNDS		1,678,275

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TOTAL POSITIONS	35.00	
TOTAL ALL FUNDS		3,425,168

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE 2,610,249

2986 SALARIES AND BENEFITS POSITIONS	67.00	
FROM GENERAL REVENUE FUND	2,717,515	
FROM GRANTS AND DONATIONS TRUST FUND . . .		795,482
2987 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	37,800	
FROM GRANTS AND DONATIONS TRUST FUND . . .		77,040
2988 EXPENSES		
FROM GENERAL REVENUE FUND	428,635	
FROM GRANTS AND DONATIONS TRUST FUND . . .		133,618
2989 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,736	
2990 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	708,295	
FROM GRANTS AND DONATIONS TRUST FUND . . .		282,326
2991 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	28,506	
FROM GRANTS AND DONATIONS TRUST FUND . . .		36,000
2992 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	15,319	
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,856
2993 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	20,986	
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,812
2994 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GRANTS AND DONATIONS TRUST FUND . . .		143,896
TOTAL: HUMAN RELATIONS		
FROM GENERAL REVENUE FUND	3,958,792	
FROM TRUST FUNDS		1,478,030
TOTAL POSITIONS	67.00	
TOTAL ALL FUNDS		5,436,822

ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

APPROVED SALARY RATE 5,524,089

2995 SALARIES AND BENEFITS POSITIONS	70.00	
FROM ADMINISTRATIVE TRUST FUND		6,855,878
2996 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		319,242
2997 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND		1,145,992

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2998 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 71,550

2999 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 187,600

3000 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 52,814

3001 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 28,186

TOTAL: PROGRAM: ADJUDICATION OF DISPUTES
FROM TRUST FUNDS 8,661,262

TOTAL POSITIONS 70.00
TOTAL ALL FUNDS 8,661,262

PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS

APPROVED SALARY RATE 9,944,541

3002 SALARIES AND BENEFITS POSITIONS 199.00
FROM ADMINISTRATIVE TRUST FUND 12,660,167

3003 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 230,000

3004 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 3,210,162

3005 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 38,896

3006 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 1,114,951

3007 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 338,986

3008 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,500

3009 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 81,348

TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS
FROM TRUST FUNDS 17,677,010

TOTAL POSITIONS 199.00
TOTAL ALL FUNDS 17,677,010

MILITARY AFFAIRS, DEPARTMENT OF

From the funds in Specific Appropriation 3046, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that any reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

3010 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND 49,750

3011 EXPENSES
FROM GENERAL REVENUE FUND 128,250
FROM COOPERATIVE AGREEMENT TRUST FUND . . 75,000
FROM FEDERAL EQUITABLE SHARING TRUST FUND 345,000

3012 OPERATING CAPITAL OUTLAY
FROM FEDERAL EQUITABLE SHARING TRUST FUND 100,000

3013 SPECIAL CATEGORIES
ACCOUNTING SERVICES
FROM FEDERAL EQUITABLE SHARING TRUST FUND 10,000

3014 SPECIAL CATEGORIES
PROJECTS, CONTRACTS AND GRANTS
FROM COOPERATIVE AGREEMENT TRUST FUND . . 5,000,000

3015 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 10,000
FROM FEDERAL EQUITABLE SHARING TRUST FUND 50,000

3016 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 10,000
FROM FEDERAL EQUITABLE SHARING TRUST FUND 20,000

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM GENERAL REVENUE FUND 198,000
FROM TRUST FUNDS 5,600,000

TOTAL ALL FUNDS 5,798,000

MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,122,450

3017 SALARIES AND BENEFITS POSITIONS 93.00
FROM GENERAL REVENUE FUND 2,977,336
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 998,440

3018 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 118,172

3019 EXPENSES
FROM GENERAL REVENUE FUND 6,831,815
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 256,825

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From the funds in Specific Appropriations 3019, $2,300,000 in non-recurring general revenue is provided to reimburse Florida National Guard service members for the life insurance payments that are deducted from their military salaries for Service Member's Group Life Insurance, obtained through the United States Department of Defense.

3020	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,077	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		186,853
3021	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		225,000
3022	SPECIAL CATEGORIES		
	NATIONAL GUARD TUITION ASSISTANCE		
	FROM GENERAL REVENUE FUND	3,481,900	
3023	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		165,000
3024	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM GENERAL REVENUE FUND	10,000	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		180,000
3025	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		49,079
3026	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	28,053	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND .		9,510
3026A	FIXED CAPITAL OUTLAY		
	CONSOLIDATION OF UNITS AT MIRAMAR ARMORY		
	FROM GENERAL REVENUE FUND	4,644,300	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		300,000
3027	FIXED CAPITAL OUTLAY		
	FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE		
	FROM GENERAL REVENUE FUND	18,600,000	
TOTAL:	MILITARY READINESS AND RESPONSE		
	FROM GENERAL REVENUE FUND	36,575,481	
	FROM TRUST FUNDS		2,488,879
	TOTAL POSITIONS	93.00	
	TOTAL ALL FUNDS		39,064,360

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,631,746

3028	SALARIES AND BENEFITS POSITIONS	51.00	
	FROM GENERAL REVENUE FUND	3,335,448	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		298,705
3029	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	94,525	
3030	EXPENSES		
	FROM GENERAL REVENUE FUND	959,409	
3031	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	143,074	

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3032	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	45,770	
3033	SPECIAL CATEGORIES		
	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	2,000	
3034	SPECIAL CATEGORIES		
	LEGAL SERVICES CONTRACT		
	FROM GENERAL REVENUE FUND	5,000	
3035	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	35,000	
3036	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM GENERAL REVENUE FUND	30,000	
3037	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	279,909	
3038	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	19,646	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		1,791
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	4,949,781	
	FROM TRUST FUNDS		300,496
	TOTAL POSITIONS	51.00	
	TOTAL ALL FUNDS		5,250,277

FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 5,600,741

3039	SALARIES AND BENEFITS POSITIONS	174.00	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		7,208,238
3040	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	150,000	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		2,047,000
3041	EXPENSES		
	FROM GENERAL REVENUE FUND	168,400	
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		9,789,968
3042	OPERATING CAPITAL OUTLAY		
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		6,000
3043	FOOD PRODUCTS		
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		250,000
3044	SPECIAL CATEGORIES		
	LABORATORY SERVICES		
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		70,000
3045	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM COOPERATIVE AGREEMENT TRUST FUND . .		3,020,000
3046	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WAGES CONTRACTING WITH MILITARY AFFAIRS		
	FROM GENERAL REVENUE FUND	1,250,000	
	FROM WELFARE TRANSITION TRUST FUND		4,050,000

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3047 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM COOPERATIVE AGREEMENT TRUST FUND . . 30,000

3048 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM COOPERATIVE AGREEMENT TRUST FUND . . 2,620,000

3049 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COOPERATIVE AGREEMENT TRUST FUND . . 77,325

TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS
FROM GENERAL REVENUE FUND 1,568,400
FROM TRUST FUNDS 29,168,531

TOTAL POSITIONS 174.00
TOTAL ALL FUNDS 30,736,931

PUBLIC SERVICE COMMISSION

PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE

APPROVED SALARY RATE 16,860,649

3050 SALARIES AND BENEFITS POSITIONS 341.00
FROM REGULATORY TRUST FUND 21,469,008

3051 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 400,588

3052 EXPENSES
FROM REGULATORY TRUST FUND 4,223,903

3053 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 387,546

3054 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 72,055

3055 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM REGULATORY TRUST FUND 20,385

3056 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 229,706

3057 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 118,951

3058 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 139,526

3059 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 76,708

TOTAL: PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE
FROM TRUST FUNDS 27,138,376

TOTAL POSITIONS 341.00
TOTAL ALL FUNDS 27,138,376

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REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 15,338,322

3060 SALARIES AND BENEFITS POSITIONS 331.00
FROM GENERAL REVENUE FUND 12,575,298
FROM ADMINISTRATIVE TRUST FUND 2,444,418
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,580,471

3061 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 135,740

3062 EXPENSES
FROM GENERAL REVENUE FUND 996,505
FROM ADMINISTRATIVE TRUST FUND 882,830
FROM GRANTS AND DONATIONS TRUST FUND . . . 461,726

3063 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 106,929
FROM ADMINISTRATIVE TRUST FUND 120,235

3064 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 439,599
FROM ADMINISTRATIVE TRUST FUND 315,117

3065 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 835,214
FROM ADMINISTRATIVE TRUST FUND 689,717
FROM GRANTS AND DONATIONS TRUST FUND . . . 281,028

3066 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 300,185
FROM ADMINISTRATIVE TRUST FUND 234,234
FROM GRANTS AND DONATIONS TRUST FUND . . . 14,029

3067 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,729,148
FROM ADMINISTRATIVE TRUST FUND 297,197
FROM GRANTS AND DONATIONS TRUST FUND . . . 177,426

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 16,982,878
FROM TRUST FUNDS 10,634,168

TOTAL POSITIONS 331.00
TOTAL ALL FUNDS 27,617,046

PROGRAM: PROPERTY TAX ADMINISTRATION PROGRAM

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 5,047,529

3068 SALARIES AND BENEFITS POSITIONS 116.50
FROM GENERAL REVENUE FUND 6,344,474

3069 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 61,455

3070 EXPENSES
FROM GENERAL REVENUE FUND 1,500,746

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3071 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 46,012

3072 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 755,558

3073 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 47,601

TOTAL: COMPLIANCE DETERMINATION
FROM GENERAL REVENUE FUND 8,755,846

TOTAL POSITIONS 116.50
TOTAL ALL FUNDS 8,755,846

COMPLIANCE ASSISTANCE

APPROVED SALARY RATE 2,540,547

3074 SALARIES AND BENEFITS POSITIONS 60.50
FROM GENERAL REVENUE FUND 3,459,371

3075 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,715

3076 EXPENSES
FROM GENERAL REVENUE FUND 171,050

3077 AID TO LOCAL GOVERNMENTS
AERIAL PHOTOGRAPHY AND MAPPING
FROM GENERAL REVENUE FUND 1,326,266

3078 AID TO LOCAL GOVERNMENTS
GEOGRAPHICAL INFORMATION SYSTEM MAPPING
GRANT PROGRAM
FROM GENERAL REVENUE FUND 190,000

3079 AID TO LOCAL GOVERNMENTS
COUNTY TAX FORMS
FROM GENERAL REVENUE FUND 175,000

3080 SPECIAL CATEGORIES
PROPERTY APPRAISER AND TAX COLLECTOR
CERTIFICATION PROGRAM
FROM CERTIFICATION PROGRAM TRUST FUND . . 450,000

3081 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 572,600

3082 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 22,030

TOTAL: COMPLIANCE ASSISTANCE
FROM GENERAL REVENUE FUND 5,947,032
FROM TRUST FUNDS 450,000

TOTAL POSITIONS 60.50
TOTAL ALL FUNDS 6,397,032

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

APPROVED SALARY RATE 42,715,047

3083 SALARIES AND BENEFITS POSITIONS 1,402.00
FROM GENERAL REVENUE FUND 11,358,399
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 6,974,195

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FROM CHILD SUPPORT ENFORCEMENT
APPLICATION AND PROGRAM REVENUE TRUST
FUND 664,833
FROM GRANTS AND DONATIONS TRUST FUND . . . 36,888,624

3084 OTHER PERSONAL SERVICES
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 59,699
FROM CHILD SUPPORT ENFORCEMENT
APPLICATION AND PROGRAM REVENUE TRUST
FUND 119,398
FROM GRANTS AND DONATIONS TRUST FUND . . . 347,662

3085 EXPENSES
FROM GENERAL REVENUE FUND 3,298,840
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 1,043,738
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,435,842

3086 OPERATING CAPITAL OUTLAY
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 127,718
FROM GRANTS AND DONATIONS TRUST FUND . . . 247,921

3087 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT
ENFORCEMENT
FROM GENERAL REVENUE FUND 5,750,093
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 887,597
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,731,472

3088 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 250,020
FROM GRANTS AND DONATIONS TRUST FUND . . . 479,752

3088A QUALIFIED EXPENDITURE CATEGORY
CHILD SUPPORT AUTOMATED MANAGEMENT SYSTEM
(CAMS) PROJECT
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 2,790,842
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,417,513

3089 DATA PROCESSING SERVICES
CHILDREN AND FAMILIES DATA CENTER
FROM GENERAL REVENUE FUND 978,045
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 829,986
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,512,510

TOTAL: CASE PROCESSING
FROM GENERAL REVENUE FUND 21,635,397
FROM TRUST FUNDS 89,559,302

TOTAL POSITIONS 1,402.00
TOTAL ALL FUNDS 111,194,699

REMITTANCE AND DISTRIBUTION

APPROVED SALARY RATE 1,391,944

3090 SALARIES AND BENEFITS POSITIONS 48.00
FROM GENERAL REVENUE FUND 444,358
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 270,681
FROM CHILD SUPPORT ENFORCEMENT
APPLICATION AND PROGRAM REVENUE TRUST
FUND 25,807
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,438,445

3091 OTHER PERSONAL SERVICES
FROM CHILD SUPPORT INCENTIVE TRUST FUND . 8,298
FROM CHILD SUPPORT ENFORCEMENT
APPLICATION AND PROGRAM REVENUE TRUST
FUND 16,596
FROM GRANTS AND DONATIONS TRUST FUND . . . 48,322

3092 EXPENSES
FROM GENERAL REVENUE FUND 126,924

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FROM CHILD SUPPORT INCENTIVE TRUST FUND .		47,509
FROM GRANTS AND DONATIONS TRUST FUND . . .		338,846
3093 OPERATING CAPITAL OUTLAY		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		3,283
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,372
3093A SPECIAL CATEGORIES		
TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	31,395,913	
3094 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	6,809,431	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		2,290,036
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		1,800,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		24,994,336
3095 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	8,719	
FROM GRANTS AND DONATIONS TRUST FUND . . .		16,732
3096 FINANCIAL ASSISTANCE PAYMENTS		
CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		750,000
3096A QUALIFIED EXPENDITURE CATEGORY		
CHILD SUPPORT AUTOMATED MANAGEMENT SYSTEM (CAMS) PROJECT		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,229,669
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,387,005
3097 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	838,775	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		820,765
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		10,022
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,214,043
TOTAL: REMITTANCE AND DISTRIBUTION		
FROM GENERAL REVENUE FUND	39,624,120	
FROM TRUST FUNDS		39,716,767
TOTAL POSITIONS	48.00	
TOTAL ALL FUNDS		79,340,887

ESTABLISHMENT

APPROVED SALARY RATE 13,623,375		
3098 SALARIES AND BENEFITS POSITIONS	444.00	
FROM GENERAL REVENUE FUND	3,589,105	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		2,185,428
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		208,394
FROM GRANTS AND DONATIONS TRUST FUND . . .		11,617,623
3099 OTHER PERSONAL SERVICES		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		17,162
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		34,324
FROM GRANTS AND DONATIONS TRUST FUND . . .		99,944
3100 EXPENSES		
FROM GENERAL REVENUE FUND	975,254	

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FROM CHILD SUPPORT INCENTIVE TRUST FUND .		321,136
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,518,370
3101 OPERATING CAPITAL OUTLAY		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		29,955
FROM GRANTS AND DONATIONS TRUST FUND . . .		58,148
3102 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,651,112	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		3,992,441
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		308,934
FROM GRANTS AND DONATIONS TRUST FUND . . .		22,137,443
3103 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	79,917	
FROM GRANTS AND DONATIONS TRUST FUND . . .		153,349
3104A QUALIFIED EXPENDITURE CATEGORY		
CHILD SUPPORT AUTOMATED MANAGEMENT SYSTEM (CAMS) PROJECT		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,266,932
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,459,338
3105 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,624,570	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		107,303
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,364,174
TOTAL: ESTABLISHMENT		
FROM GENERAL REVENUE FUND	10,919,958	
FROM TRUST FUNDS		50,880,398
TOTAL POSITIONS	444.00	
TOTAL ALL FUNDS		61,800,356

COMPLIANCE

APPROVED SALARY RATE 13,447,641		
3106 SALARIES AND BENEFITS POSITIONS	439.00	
FROM GENERAL REVENUE FUND	3,695,361	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		2,251,706
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		214,937
FROM GRANTS AND DONATIONS TRUST FUND . . .		11,965,962
3107 OTHER PERSONAL SERVICES		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		16,841
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		33,682
FROM GRANTS AND DONATIONS TRUST FUND . . .		98,072
3108 EXPENSES		
FROM GENERAL REVENUE FUND	1,240,342	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		420,361
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,226,066
3109 OPERATING CAPITAL OUTLAY		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		29,531
FROM GRANTS AND DONATIONS TRUST FUND . . .		57,326
3110 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	2,663,820	

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FROM CHILD SUPPORT INCENTIVE TRUST FUND .		2,457,697
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		171,449
FROM GRANTS AND DONATIONS TRUST FUND . . .		13,213,853
3111 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	79,458	
FROM GRANTS AND DONATIONS TRUST FUND . . .		152,472
3111A QUALIFIED EXPENDITURE CATEGORY		
CHILD SUPPORT AUTOMATED MANAGEMENT SYSTEM (CAMS) PROJECT		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,561,170
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,030,509
3112 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,628,102	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		107,560
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,371,533
TOTAL: COMPLIANCE		
FROM GENERAL REVENUE FUND	9,307,083	
FROM TRUST FUNDS		42,380,727
TOTAL POSITIONS	439.00	
TOTAL ALL FUNDS		51,687,810

PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

APPROVED SALARY RATE 13,761,472

3113 SALARIES AND BENEFITS POSITIONS	461.00	
FROM GENERAL REVENUE FUND	16,565,827	
FROM ADMINISTRATIVE TRUST FUND		3,172,061
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,789,196
3114 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	76,149	
FROM ADMINISTRATIVE TRUST FUND		82,157
FROM GRANTS AND DONATIONS TRUST FUND . . .		35,263
3115 EXPENSES		
FROM GENERAL REVENUE FUND	2,377,683	
FROM ADMINISTRATIVE TRUST FUND		1,358,711
FROM GRANTS AND DONATIONS TRUST FUND . . .		786,879
3116 AID TO LOCAL GOVERNMENTS		
GRANTS AND AID TO LOCAL GOVERNMENT/ DISTRIBUTION TO CLERKS OF COURT		
FROM THE DEPARTMENT OF REVENUE CLERKS OF THE COURT TRUST FUND		31,500,000
3117 AID TO LOCAL GOVERNMENTS		
EMERGENCY DISTRIBUTIONS		
FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		16,907,042
3118 AID TO LOCAL GOVERNMENTS		
INMATE SUPPLEMENTAL DISTRIBUTION		
FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		592,958
3119 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	240,988	
FROM ADMINISTRATIVE TRUST FUND		190,466
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,377

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3120 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,088,451	
FROM ADMINISTRATIVE TRUST FUND		722,581
FROM GRANTS AND DONATIONS TRUST FUND . . .		268,642
3121 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM ADMINISTRATIVE TRUST FUND		97,049
3122 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	92,591	
FROM ADMINISTRATIVE TRUST FUND		35,310
TOTAL: TAX PROCESSING		
FROM GENERAL REVENUE FUND	20,441,689	
FROM TRUST FUNDS		58,543,692
TOTAL POSITIONS	461.00	
TOTAL ALL FUNDS		78,985,381

TAXPAYER AID

APPROVED SALARY RATE 7,422,192

3123 SALARIES AND BENEFITS POSITIONS	201.00	
FROM GENERAL REVENUE FUND	7,291,283	
FROM ADMINISTRATIVE TRUST FUND		1,378,203
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,246,123
3124 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	30,586	
FROM ADMINISTRATIVE TRUST FUND		20,042
FROM GRANTS AND DONATIONS TRUST FUND . . .		14,195
3125 EXPENSES		
FROM GENERAL REVENUE FUND	1,061,560	
FROM ADMINISTRATIVE TRUST FUND		521,899
FROM GRANTS AND DONATIONS TRUST FUND . . .		297,828
3126 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		54,485
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,161
3127 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	442,912	
FROM ADMINISTRATIVE TRUST FUND		138,216
FROM GRANTS AND DONATIONS TRUST FUND . . .		126,315
3128 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM ADMINISTRATIVE TRUST FUND		39,000
3129 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	37,207	
FROM ADMINISTRATIVE TRUST FUND		14,190
TOTAL: TAXPAYER AID		
FROM GENERAL REVENUE FUND	8,863,548	
FROM TRUST FUNDS		3,852,657
TOTAL POSITIONS	201.00	
TOTAL ALL FUNDS		12,716,205

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 49,577,332

3130 SALARIES AND BENEFITS POSITIONS	1,165.50	
FROM GENERAL REVENUE FUND	41,853,697	

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FROM ADMINISTRATIVE TRUST FUND		8,077,752
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,970,671
3131 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	196,027	
FROM ADMINISTRATIVE TRUST FUND		146,147
FROM GRANTS AND DONATIONS TRUST FUND . . .		90,767
3132 EXPENSES		
FROM GENERAL REVENUE FUND	6,786,096	
FROM ADMINISTRATIVE TRUST FUND		3,348,142
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,065,492
3133 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,350	
FROM ADMINISTRATIVE TRUST FUND		318,788
FROM GRANTS AND DONATIONS TRUST FUND . . .		13,845
3134 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,816,028	
FROM ADMINISTRATIVE TRUST FUND		919,838
FROM GRANTS AND DONATIONS TRUST FUND . . .		652,281
3135 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM ADMINISTRATIVE TRUST FUND		249,900
3136 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	238,417	
FROM ADMINISTRATIVE TRUST FUND		90,923
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	51,891,615	
FROM TRUST FUNDS		22,944,546
TOTAL POSITIONS	1,165.50	
TOTAL ALL FUNDS		74,836,161

COMPLIANCE RESOLUTION

APPROVED SALARY RATE 19,119,479

3137 SALARIES AND BENEFITS POSITIONS	547.50	
FROM GENERAL REVENUE FUND	20,153,679	
FROM ADMINISTRATIVE TRUST FUND		3,909,028
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,343,618
3138 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	84,409	
FROM ADMINISTRATIVE TRUST FUND		64,606
FROM GRANTS AND DONATIONS TRUST FUND . . .		41,347
3139 EXPENSES		
FROM GENERAL REVENUE FUND	3,066,587	
FROM ADMINISTRATIVE TRUST FUND		1,538,478
FROM GRANTS AND DONATIONS TRUST FUND . . .		930,198
3140 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,218	
FROM ADMINISTRATIVE TRUST FUND		109,342
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,318
3141 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,287,525	
FROM ADMINISTRATIVE TRUST FUND		433,371
FROM GRANTS AND DONATIONS TRUST FUND . . .		310,497
3142 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM ADMINISTRATIVE TRUST FUND		114,051

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3143 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	108,809	
FROM ADMINISTRATIVE TRUST FUND		41,498
TOTAL: COMPLIANCE RESOLUTION		
FROM GENERAL REVENUE FUND	24,723,227	
FROM TRUST FUNDS		10,842,352
TOTAL POSITIONS	547.50	
TOTAL ALL FUNDS		35,565,579

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 7,405,505

3144 SALARIES AND BENEFITS POSITIONS	181.00	
FROM GENERAL REVENUE FUND	6,918,223	
FROM ADMINISTRATIVE TRUST FUND		2,092,068
FROM GRANTS AND DONATIONS TRUST FUND . . .		604,946
3145 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	172,260	
FROM ADMINISTRATIVE TRUST FUND		29,252
3146 EXPENSES		
FROM GENERAL REVENUE FUND	1,823,663	
FROM ADMINISTRATIVE TRUST FUND		771,333
FROM GRANTS AND DONATIONS TRUST FUND . . .		212,063
3147 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	206,433	
FROM ADMINISTRATIVE TRUST FUND		206,297
FROM GRANTS AND DONATIONS TRUST FUND . . .		34,094
3148 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,929,823	
FROM ADMINISTRATIVE TRUST FUND		3,515,729
FROM GRANTS AND DONATIONS TRUST FUND . . .		784,476
3149 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	15,586	
FROM ADMINISTRATIVE TRUST FUND		10,481
3150 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	154,714	
FROM ADMINISTRATIVE TRUST FUND		229,286
3151 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GENERAL REVENUE FUND	167,761	
FROM ADMINISTRATIVE TRUST FUND		186,812
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	11,388,463	
FROM TRUST FUNDS		8,676,837
TOTAL POSITIONS	181.00	
TOTAL ALL FUNDS		20,065,300

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND
ADMINISTRATIVE SERVICES

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,831,569

3152 SALARIES AND BENEFITS POSITIONS 57.00
FROM GENERAL REVENUE FUND 3,447,241
FROM GRANTS AND DONATIONS TRUST FUND . . . 85,747

3153 EXPENSES
FROM GENERAL REVENUE FUND 497,150

3154 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000

3155 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 1,896

3156 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,808

3157 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 22,313
FROM GRANTS AND DONATIONS TRUST FUND . . . 555

3158 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 43,173

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 4,029,581
FROM TRUST FUNDS 86,302

TOTAL POSITIONS 57.00
TOTAL ALL FUNDS 4,115,883

PROGRAM: ELECTIONS

ELECTIONS

APPROVED SALARY RATE 2,652,969

3159 SALARIES AND BENEFITS POSITIONS 65.00
FROM GENERAL REVENUE FUND 1,579,094
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,905,492

3160 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 87,150
FROM GRANTS AND DONATIONS TRUST FUND . . . 225,000

3161 EXPENSES
FROM GENERAL REVENUE FUND 833,192
FROM GRANTS AND DONATIONS TRUST FUND . . . 391,008

3162 AID TO LOCAL GOVERNMENTS
PETITION SIGNATURE VERIFICATION
FROM GENERAL REVENUE FUND 75,000

3163 AID TO LOCAL GOVERNMENTS
SPECIAL ELECTIONS
FROM GENERAL REVENUE FUND 200,000

3164 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,086
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,500

3165 SPECIAL CATEGORIES
ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION
FROM GENERAL REVENUE FUND 300,000

3166 SPECIAL CATEGORIES
VOTER INFORMATION
FROM GENERAL REVENUE FUND 75,000

3167 SPECIAL CATEGORIES
VOTING SYSTEMS ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,116,515

From the funds in Specific Appropriation 3167, $591,515 is to be used to assist counties that did not purchase a certified voting system to meet the federal standards for voting systems accessibility by January 1, 2006, under section 301(a) of Title III of the Help America Vote Act. Funds in the amount of $564,421.95 and $27,092.25 shall be distributed to the Supervisor of Elections in Leon and Union counties, respectively. No funds are to be distributed until the Department of State receives a certificate from the Supervisor of Elections and the Chairman of the Board of County Commissioners of the respective county that states that accessible voting equipment that meets the requirements of section 301(a) of Title III of the Help America Vote Act has been delivered, accepted by the county, and is ready for use in an election. If the county has not complied with these requirements by the first election for federal office held in that respective county for the year 2006, then no funds may be distributed to the county.

3168 SPECIAL CATEGORIES
STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA)
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,300,000

3169 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 285,319
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,058

3169A SPECIAL CATEGORIES
ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 800,000

3170 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 150,000

3171 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 49,880

3172 SPECIAL CATEGORIES
ELECTION FRAUD PREVENTION
FROM GENERAL REVENUE FUND 600,000

3173 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 12,751
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,361

3174 SPECIAL CATEGORIES
VOTER EDUCATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,000,000

The funds in Specific Appropriation 3174 shall be distributed to county supervisors of elections for the following purposes relating to voter education: mailing or publishing sample ballots; conducting activities pursuant to the Standards for Nonpartisan Voter Education as provided in Rule 1S-2.033, F.A.C.; print, radio, or television advertising to voters; and other innovative voter education programs, as approved by the Department of State. No supervisor of elections shall receive any funds until the supervisor of elections provides to the Department of State a detailed description of the voter-education programs, such as those described above, to be implemented.

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The department shall distribute an amount to each eligible county supervisor equal to the funding level per voter multiplied by the number of registered voters in the county for the 2004 General Election. The department shall determine the funding level per voter based on the number of registered voters in the state for the 2004 General Election.

In order for a county supervisor of elections to be eligible to receive state funding for voter education, the county must certify to the Division of Elections that the county will provide matching funds for voter education in the amount equal to fifteen percent of the amount to be received from the state. Additionally, to be eligible, a county must segregate state voter education distributions and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Any funds remaining in the fund at the end of the fiscal year shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended.

3175 SPECIAL CATEGORIES
GRANTS AND AIDS - POLL WORKER RECRUITMENT AND TRAINING
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,500,000

From the funds in Specific Appropriation 3175, at least $1,000,000 shall be distributed to county supervisors of elections to assist with recruiting and training individuals as poll workers. These funds shall be distributed to each eligible county supervisor in an amount equal to the funding level per voter multiplied by the number of registered voters in the county for the 2004 General Election. The Division of Elections shall determine the funding level per voter based on the number of registered voters in the state for the 2004 General Election. The county must certify to the Division of Elections that the county will provide matching funds for poll worker recruitment and training in the amount equal to fifteen percent of the amount to be received from the state. The county must also submit training plans to the department for approval to ensure consistency of training across the state.

From the funds in Specific Appropriation 3175, $500,000 may be used by the Department of State for oversight of poll worker training to ensure uniformity in the training of poll workers statewide. This oversight will include revision and update of poll worker curricula developed in Fiscal Year 2005-2006 for poll worker training.

TOTAL: ELECTIONS
FROM GENERAL REVENUE FUND 4,320,472
FROM TRUST FUNDS 9,411,934

TOTAL POSITIONS 65.00
TOTAL ALL FUNDS 13,732,406

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 3,046,701

3176 SALARIES AND BENEFITS POSITIONS 88.00
FROM GENERAL REVENUE FUND 2,699,099
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,177,369
FROM OPERATING TRUST FUND 300,808

3177 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 34,516
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,452,614
FROM OPERATING TRUST FUND 506,051

3178 EXPENSES
FROM GENERAL REVENUE FUND 1,558,913
FROM GRANTS AND DONATIONS TRUST FUND . . . 534,891
FROM OPERATING TRUST FUND 329,116

3179 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000
FROM OPERATING TRUST FUND 22,500

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3180 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC MUSEUM GRANTS
FROM GENERAL REVENUE FUND 1,750,000

3181 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 49,412
FROM GRANTS AND DONATIONS TRUST FUND . . . 143,655
FROM OPERATING TRUST FUND 189,307

3182 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS
FROM GENERAL REVENUE FUND 2,000,000
FROM OPERATING TRUST FUND 85,870

3183 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,511
FROM OPERATING TRUST FUND 17,270

3184 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,433
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,967
FROM OPERATING TRUST FUND 3,057

3185 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 34,746

3186 FIXED CAPITAL OUTLAY
MISSION SAN LUIS FORT CONSTRUCTION
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,209,344

Funds in Specific Appropriation 3186 shall be used for the construction of an Americans with Disabilities Act-compliant visitor center, restoration of the 17th-century plaza, and relocation of the 1938 Messer House. The Department of State shall contract with the Department of Management Services for administration of this project.

3186A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES - ACQUISITION, RESTORATION OF HISTORIC PROPERTIES
FROM GENERAL REVENUE FUND 14,085,585

Funds in Specific Appropriation 3186A are provided to fund the historical preservation projects that were selected in accordance with chapter 1A-35.007, Florida Administrative Code.

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND 22,253,215
FROM TRUST FUNDS 14,133,819

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 36,387,034

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 5,378,510

3187 SALARIES AND BENEFITS POSITIONS 154.00
FROM GENERAL REVENUE FUND 7,407,929

3188 EXPENSES
FROM GENERAL REVENUE FUND 3,539,155

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3189 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 30,000

3190 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 879,627

3191 SPECIAL CATEGORIES
RICO ACT - ALIEN CORPORATIONS
FROM GENERAL REVENUE FUND 200,000

3192 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,336

3193 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 66,331

3194 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 249,361

TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS
FROM GENERAL REVENUE FUND 12,395,739

TOTAL POSITIONS 154.00
TOTAL ALL FUNDS 12,395,739

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE 3,817,901

3195 SALARIES AND BENEFITS POSITIONS 105.50
FROM GENERAL REVENUE FUND 2,413,857
FROM LIBRARY SERVICES TRUST FUND 1,322,724
FROM RECORDS MANAGEMENT TRUST FUND 1,273,061

3196 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 169,916
FROM LIBRARY SERVICES TRUST FUND 302,826
FROM RECORDS MANAGEMENT TRUST FUND 52,412

3197 EXPENSES
FROM GENERAL REVENUE FUND 2,137,489
FROM LIBRARY SERVICES TRUST FUND 793,982
FROM RECORDS MANAGEMENT TRUST FUND 661,949

3198 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - HISTORICAL RECORDS
GRANTS
FROM LIBRARY SERVICES TRUST FUND 25,000

3199 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - GATES FOUNDATION GRANT
FROM LIBRARY SERVICES TRUST FUND 1,150,000

3200 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY COOPERATIVES
FROM GENERAL REVENUE FUND 2,400,000

3200A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SUPPLEMENTAL LIBRARY
GRANTS
FROM GENERAL REVENUE FUND 2,200,000

From the non-recurring general revenue funds in Specific Appropriation 3200A, $2,200,000 is provided to supplement the library grant program.

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These funds are provided for Fiscal Year 2006-2007 only, and shall be used on a one-time basis for the procurement of library books, materials, supplies and services. The department may apply the operating grant portion of the state aid formula as the method to calculate the distribution of funds among eligible entities.

3201 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY GRANTS
FROM GENERAL REVENUE FUND 31,999,233
FROM LIBRARY SERVICES TRUST FUND 3,641,637

3202 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS COMMUNITY LIBRARIES IN
CARING
FROM GENERAL REVENUE FUND 200,000

3203 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 26,000
FROM LIBRARY SERVICES TRUST FUND 7,522
FROM RECORDS MANAGEMENT TRUST FUND 14,959

3204 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 98,845
FROM LIBRARY SERVICES TRUST FUND 356,622
FROM RECORDS MANAGEMENT TRUST FUND 2,059

3205 SPECIAL CATEGORIES
LIBRARY RESOURCES
FROM GENERAL REVENUE FUND 577,580
FROM LIBRARY SERVICES TRUST FUND 1,773,197

3205A SPECIAL CATEGORIES
FLORIDA ONLINE HOMEWORK HELPS AT LIBRARIES
FROM GENERAL REVENUE FUND 1,800,000

From the non-recurring general revenue funds in Specific Appropriation 3205A, $1,800,000 is provided for a statewide pilot project providing one-on-one tutoring to school age children in any subject area through an internet connection using library or other community facilities' computers or by connecting to websites from remote locations.

3206 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 25,239

3207 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 24,967
FROM LIBRARY SERVICES TRUST FUND 12,756
FROM RECORDS MANAGEMENT TRUST FUND 12,277

3208 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 82,000

3208A FIXED CAPITAL OUTLAY
LIBRARY CONSTRUCTION GRANTS
FROM GENERAL REVENUE FUND 7,153,000

Funds in Specific Appropriation 3208A are provided for library construction projects that are in compliance with section 257.191, Florida Statutes.

3208B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LIBRARY PROJECTS
FROM GENERAL REVENUE FUND 1,000,000

From the non-recurring general revenue funds in Specific Appropriation 3208B, $1,000,000 is provided for the University Area Partnership Library, Tampa-Hillsborough County Public Library System.

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TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES
FROM GENERAL REVENUE FUND 52,308,126
FROM TRUST FUNDS 11,402,983

TOTAL POSITIONS 105.50
TOTAL ALL FUNDS 63,711,109

PROGRAM: CULTURAL AFFAIRS

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 746,872

3209 SALARIES AND BENEFITS POSITIONS 19.00
FROM GENERAL REVENUE FUND 616,545
FROM FINE ARTS COUNCIL TRUST FUND 296,207

3210 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 59,750
FROM FINE ARTS COUNCIL TRUST FUND 20,600

3211 EXPENSES
FROM GENERAL REVENUE FUND 177,631
FROM FINE ARTS COUNCIL TRUST FUND 195,891

3212 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,000

3213 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 5,072

3214 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,586
FROM FINE ARTS COUNCIL TRUST FUND 2,683

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 867,584
FROM TRUST FUNDS 515,381

TOTAL POSITIONS 19.00
TOTAL ALL FUNDS 1,382,965

CULTURAL SUPPORT AND DEVELOPMENT GRANTS

3215 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS GRANTS
FROM GENERAL REVENUE FUND 2,718,750
FROM FINE ARTS COUNCIL TRUST FUND 297,200

3216 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCIENCES GRANTS
FROM GENERAL REVENUE FUND 500,000

3217 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS IN EDUCATION GRANTS
FROM GENERAL REVENUE FUND 550,000

3218 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL ARTS AGENCIES/ STATE SERVICE ORGANIZATIONS
FROM GENERAL REVENUE FUND 400,000

3219 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - YOUTH AND CHILDREN'S MUSEUMS GRANTS
FROM GENERAL REVENUE FUND 250,000

3220 SPECIAL CATEGORIES
GRANTS AND AIDS - FINE ARTS ENDOWMENT
FROM GENERAL REVENUE FUND 4,560,000

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Funds in Specific Appropriation 3220 are provided for the Cultural Endowment Program in accordance with sections 265.601-606, Florida Statutes and chapter 1T-1.001, Florida Administrative Code.

3221 SPECIAL CATEGORIES
GRANTS AND AIDS - CHALLENGE GRANTS
FROM GENERAL REVENUE FUND 804,412

Funds in Specific Appropriation 3221 are provided for Challenge Grants that are in compliance with section 265.286, Florida Statutes, and are priority ranked under chapter 1T-1.001, Florida Administrative Code.

3222 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL EXCHANGE PROGRAM
FROM GENERAL REVENUE FUND 250,000

3223 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL INSTITUTIONS
FROM GENERAL REVENUE FUND 6,495,872

3224 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR THE HUMANITIES
FROM GENERAL REVENUE FUND 430,000

3225 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE TOURING PROGRAM
FROM GENERAL REVENUE FUND 200,000

3225A SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND HISTORICAL PROGRAMS
FROM GENERAL REVENUE FUND 1,345,207

The non-recurring general revenue funds in Specific Appropriation 3225A shall be allocated as follows:

Youth Cultural Center - Hillsborough County..... 65,707
Florida African American Heritage Preservation Network..... 350,000
Cuban Heritage Collection - Dade County..... 199,500
Florida Aquarium Underwater Archeology - Statewide..... 250,000
Florida Grand Opera's Operatunity Job Program - Dade County..... 250,000
Preservation and Maintenance Planning Grant..... 15,000
Heritage Village - Pinellas County..... 75,000
Heritage Park - Okaloosa County..... 40,000
Bay of Pigs Museum & Library Project - Dade County..... 100,000

3225B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES - CULTURAL FACILITIES PROGRAM
FROM GENERAL REVENUE FUND 14,453,228

Funds in Specific Appropriation 3225B are provided for the cultural facility projects that were selected in accordance with chapter 1T-1.001, Florida Administrative Code, and section 265.701, Florida Statutes.

3225C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - REGIONAL CULTURAL FACILITIES
FROM GENERAL REVENUE FUND 750,000

Funds in Specific Appropriation 3225C are provided for a regional cultural facility project that is in compliance with section 265.702, Florida Statutes, and is priority ranked under chapter 1T-1.001, Florida Administrative Code.

3225D GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

SECTION 6
SPECIFIC
APPROPRIATION

GRANTS AND AIDS - SPECIFIC CULTURAL AND HISTORIC PROJECTS
FROM GENERAL REVENUE FUND 5,600,000

The non-recurring general revenue funds in Specific Appropriation 3225D shall be allocated as follows:

Tampa History Center Museum - Hillsborough County.....	800,000
Tampa Firefighters Museum - Hillsborough County.....	900,000
Excelsior Cultural Arts and Education Center - St. Augustine.....	150,000
Old School Museum, Baker County.....	100,000
Mary McLeod Bethune Performing Arts Center - Volusia County.....	100,000
Florida History Exhibit Design and Construction - Hillsborough County.....	750,000
Pensacola Museum of Art - Escambia County.....	500,000
Gospel Museum Site Selection Acquisition Study - Broward County.....	350,000
Golden Gate Building Restoration - Martin County.....	350,000
Frank Lloyd Wright Esplanade Rehabilitation Project, Florida Southern College - Polk County.....	1,600,000

3225E GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SALVADOR DALI MUSEUM RELOCATION (#2818)
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,000,000

Funds in Specific Appropriation 3225E are provided for the relocation of the Salvador Dali Museum and are contingent upon sufficient funds being available in the Grants and Donations Trust Fund.

TOTAL: CULTURAL SUPPORT AND DEVELOPMENT GRANTS
FROM GENERAL REVENUE FUND 39,307,469
FROM TRUST FUNDS 4,297,200

TOTAL ALL FUNDS 43,604,669

TOTAL OF SECTION 6 POSITIONS 19,567.74

FROM GENERAL REVENUE FUND 1592,453,028

FROM TRUST FUNDS 3773,511,958

TOTAL ALL FUNDS 5365,964,986

SECTION 7 - JUDICIAL BRANCH

The monies contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

APPROVED SALARY RATE 5,728,814

3226 SALARIES AND BENEFITS POSITIONS 94.00
FROM GENERAL REVENUE FUND 7,099,618

3227 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 132,585

3228 EXPENSES
FROM GENERAL REVENUE FUND 951,847

3229 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 35,878

SECTION 7
SPECIFIC
APPROPRIATION

3230 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 321,841

3231 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE
FROM GENERAL REVENUE FUND 20,000

Funds in Specific Appropriation 3231 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.

3232 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 64,959

3233 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM GENERAL REVENUE FUND 338,843

3234 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 24,526

3234A FIXED CAPITAL OUTLAY
SUPREME COURT - COURT ROOM RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 418,000

3235 FIXED CAPITAL OUTLAY
SITE HARDENING - DMS MGD
FROM GENERAL REVENUE FUND 3,139,964

3236 FIXED CAPITAL OUTLAY
AIR CONDITIONING REPLACEMENT PROJECT - DMS MGD
FROM GENERAL REVENUE FUND 2,777,500

3236A FIXED CAPITAL OUTLAY
RESTROOM RENOVATION PROJECT - DMS MGD
FROM GENERAL REVENUE FUND 408,293

3237 FIXED CAPITAL OUTLAY
WINDOW REPLACEMENT PROJECT - DMS MGD
FROM GENERAL REVENUE FUND 3,937,743

3237A FIXED CAPITAL OUTLAY
LIBRARY RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 1,000,000

3237B FIXED CAPITAL OUTLAY
SUPREME COURT - MEETING ROOM REPAIRS - DMS MGD
FROM GENERAL REVENUE FUND 187,500

3237C FIXED CAPITAL OUTLAY
WATER INTRUSION - SUPREME COURT - DMS MGD
FROM GENERAL REVENUE FUND 2,500,000

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM GENERAL REVENUE FUND 23,359,097

TOTAL POSITIONS 94.00
TOTAL ALL FUNDS 23,359,097

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,209,942

3238 SALARIES AND BENEFITS POSITIONS 162.50
FROM GENERAL REVENUE FUND 8,113,344

SECTION 7
SPECIFIC
APPROPRIATION

FROM COURT EDUCATION TRUST FUND		1,103,330
FROM MEDIATION AND ARBITRATION TRUST FUND		394,277
FROM GRANTS AND DONATIONS TRUST FUND . . .		655,641

From funds in Specific Appropriation 3238, the Office of State Courts Administrator in cooperation with the Justice Administrative Commission shall jointly provide a report to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council by January 31, 2007, with recommendations for improving the governance and operations of publicly funded court-appointed counsel and due process services provided for indigent individuals. The report shall describe any advantages and disadvantages of the current circuit Article V indigent services committees and their administrative support arrangements, and describe, analyze, and, if justified, recommend alternative models for governing and providing these functions. Criteria used shall include but not be limited to the degree to which the models assign responsibilities which are appropriate for the entities involved, avoiding conflicts of interest; ensure the adequate provision of the court-appointed counsel and related due process services; facilitate oversight of and control over costs; and are cost-effective. The report shall also detail any other statutory changes that might enhance the governance and provision of these services.

From the funds in Specific Appropriation 3238, 1.0 FTE and a total of $75,000 in recurring general revenue, $75,000 in non-recurring general revenue and $90,000 from the Grants and Donations Trust Fund is provided for the Supreme Court to establish minimum standards for qualifications, training, and professional conduct of foreign language court interpreters who are appointed by a court of competent jurisdiction and to establish procedures for evaluating and disciplining persons seeking and holding such appointments.

From the funds in Specific Appropriation 3238, 2 full-time equivalent positions are provided to the Office of State Courts Administrator, Information Services, to integrate the information systems of the state courts system to reduce the time and costs of processing criminal and civil court cases and assist with inter-agency data exchange efforts. Tasks include but are not limited to maintaining the catalogue of common data elements developed by the Article V Technology Board to be accessible to state court system entities and participants and furthering the use of the Justice Information Exchange Model (JIEM) tool or similar tools, Global Justice XML, and Oasis Legal XML by entities within the state court system.

3239 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	210,228	
FROM COURT EDUCATION TRUST FUND		262,064
FROM MEDIATION AND ARBITRATION TRUST FUND		265,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		171,664
3240 EXPENSES		
FROM GENERAL REVENUE FUND	1,456,095	
FROM COURT EDUCATION TRUST FUND		1,718,794
FROM MEDIATION AND ARBITRATION TRUST FUND		226,977
FROM GRANTS AND DONATIONS TRUST FUND . . .		448,371
3241 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	661,455	
FROM COURT EDUCATION TRUST FUND		15,700
FROM MEDIATION AND ARBITRATION TRUST FUND		1,500
FROM GRANTS AND DONATIONS TRUST FUND . . .		33,303
3242 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	171,924	
FROM COURT EDUCATION TRUST FUND		43,124
FROM GRANTS AND DONATIONS TRUST FUND . . .		10,000
3243 SPECIAL CATEGORIES		
FLORIDA CASES SOUTHERN 2ND REPORTER		
FROM GENERAL REVENUE FUND	573,385	

SECTION 7
SPECIFIC
APPROPRIATION

3244 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	20,751	
3245 SPECIAL CATEGORIES		
COMPUTER SUBSCRIPTION SERVICES		
FROM GENERAL REVENUE FUND	189,010	
3246 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	33,574	
FROM COURT EDUCATION TRUST FUND		4,631
FROM MEDIATION AND ARBITRATION TRUST FUND		1,641
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,729
3247 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	1,045,611	
FROM GRANTS AND DONATIONS TRUST FUND . . .		418,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	12,475,377	
FROM TRUST FUNDS		5,776,746
TOTAL POSITIONS	162.50	
TOTAL ALL FUNDS		18,252,123

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3247A AID TO LOCAL GOVERNMENTS		
SMALL COUNTY COURTHOUSE FACILITIES		
FROM GENERAL REVENUE FUND	7,750,000	

Funds in Specific Appropriation 3247A from non-recurring general revenue are provided for improvements, renovations and repairs to court facilities in the following counties:

Baker County Courthouse Upgrades	300,000
Bradford County Courthouse Funds	250,000
Calhoun County Courthouse	200,000
DeSoto County Small Courthouse Improvements	350,000
Dixie County Courthouse	200,000
Franklin County Courthouse Renovation	200,000
Gadsden County Courthouse Renovations	400,000
Gilchrist County Judicial Complex	500,000
Glades County Small County Courthouse Safe Record Area	550,000
Gulf County Courthouse	300,000
Hardee County Courthouse	200,000
Hendry County Courthouse	200,000
Holmes County Courthouse Annex	250,000
Jackson County Courthouse	400,000
Jefferson Courthouse and Annex	350,000
Levy County Judicial /Administrative Complex	200,000
Liberty County Courthouse Renovation	200,000
4th Judicial Circuit County Court Renovations	600,000
Okeechobee County Courthouse	200,000
Putnam County Courthouse Expansion	600,000
Suwannee County Courthouse	400,000
Taylor County Courthouse Renovations	200,000
Union County Courthouse Re-roofing	150,000
Wakulla County Courthouse Expansion	300,000
Washington County Courthouse Security System	250,000

3248 SPECIAL CATEGORIES		
DUE PROCESS CONTINGENCY FUND		
POSITIONS	22.00	
FROM GENERAL REVENUE FUND	774,334	

SECTION 7
SPECIFIC
APPROPRIATION

Funds in Specific Appropriation 3248 are provided as contingency funds pursuant to section 29.016, Florida Statutes.

The positions authorized in Specific Appropriation 3248 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.

TOTAL: COURT OPERATIONS - ADMINISTERED FUNDS
FROM GENERAL REVENUE FUND 8,524,334

TOTAL POSITIONS 22.00
TOTAL ALL FUNDS 8,524,334

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

APPROVED SALARY RATE 28,312,720

3249 SALARIES AND BENEFITS POSITIONS 440.00
FROM GENERAL REVENUE FUND 35,727,918

3250 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 498,966

3251 EXPENSES
FROM GENERAL REVENUE FUND 2,353,409

3252 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 395,577

3253 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 173,480

3254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 173,496

3255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 143,071

3256 SPECIAL CATEGORIES
DISTRICT COURT OF APPEAL LAW LIBRARY
FROM GENERAL REVENUE FUND 600,188

3257 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 111,066

3258 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 176,782

3259 FIXED CAPITAL OUTLAY
3RD DISTRICT COURT OF APPEALS - COURT ROOF REPAIRS - DMS MGD
FROM GENERAL REVENUE FUND 618,337

3259A FIXED CAPITAL OUTLAY
3RD DISTRICT COURT OF APPEALS - ARCHITECT SERVICES FOR BUILDING RECONFIGURATION - DMS MGD
FROM GENERAL REVENUE FUND 100,000

SECTION 7
SPECIFIC
APPROPRIATION

3259B FIXED CAPITAL OUTLAY
2ND DISTRICT COURT OF APPEALS - ANNEX - DMS MGD
FROM GENERAL REVENUE FUND 1,500,000

Funds in Specific Appropriation 3259B shall be used for planning and design for a Second District Court of Appeals Annex located at Florida Gulf Coast University.

3259C FIXED CAPITAL OUTLAY
FIRST DISTRICT COURT OF APPEALS- EXPANSION - DMS MGD
FROM GENERAL REVENUE FUND 1,800,000

3260 FIXED CAPITAL OUTLAY
THIRD DISTRICT COURT OF APPEALS - CEILING TILE AND LIGHTING FIXTURE REPLACEMENT - DMS MGD
FROM GENERAL REVENUE FUND 218,557

3260A FIXED CAPITAL OUTLAY
FOURTH DISTRICT COURT OF APPEALS REMODELING - DMS MGD
FROM GENERAL REVENUE FUND 1,000,000

3260B FIXED CAPITAL OUTLAY
BUILDING REPAIRS - FOURTH DISTRICT COURT OF APPEALS
FROM GENERAL REVENUE FUND 160,000

TOTAL: COURT OPERATIONS - APPELLATE COURTS
FROM GENERAL REVENUE FUND 45,750,847

TOTAL POSITIONS 440.00
TOTAL ALL FUNDS 45,750,847

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE 184,085,484

3261 SALARIES AND BENEFITS POSITIONS 2,917.00
FROM GENERAL REVENUE FUND 226,064,757
FROM MEDIATION AND ARBITRATION TRUST FUND 96,502
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,906,220

3262 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,062,900
FROM GRANTS AND DONATIONS TRUST FUND . . . 151,018

3263 EXPENSES
FROM GENERAL REVENUE FUND 13,575,280
FROM GRANTS AND DONATIONS TRUST FUND . . . 244,146

3264 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,714,903

3266 SPECIAL CATEGORIES
CIVIL TRAFFIC INFRACTION HEARING OFFICERS
FROM GENERAL REVENUE FUND 2,892,848

3267 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD ADVOCACY CENTERS
FROM GENERAL REVENUE FUND 150,000

3268 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 2,664,927

3269 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,779,436

SECTION 7
SPECIFIC
APPROPRIATION

From the funds in Specific Appropriation 3269, $80,000 in non-recurring general revenue is provided to the Children's Advocacy Center of Volusia and Flagler Counties, $750,000 in non-recurring general revenue is provided for DUI/Domestic Violence Monitoring in the Eleventh Judicial Circuit, and $175,000 in non-recurring general revenue is provided for Substance Abuse Treatment Diversion in Lee County.

3270 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT TO JURORS AND WITNESSES
FROM GENERAL REVENUE FUND 4,536,910

3271 SPECIAL CATEGORIES
MEALS AND LODGING FOR JURORS
FROM GENERAL REVENUE FUND 215,825

3272 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 726,155

3273 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 157,914

3274 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM GENERAL REVENUE FUND 1,084,040
FROM MEDIATION AND ARBITRATION TRUST FUND 2,538,005

3275 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 18,251,692

Funds in Specific Appropriation 3275 are provided for state courts due process costs, as specified in section 29.004, Florida Statutes. The Trial Court Budget Commission shall apportion these funds for use in each judicial circuit, and the Office of State Courts Administrator is authorized to pay such fees and expenses, subject to all specifications and limitations as provided by law. The Office of State Courts Administrator shall submit quarterly reports of these due process payments to the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council, which shall include, but not be limited to, information on requests for payments received, court orders received directing payment, and actual encumbrances and disbursements from this special appropriations category. These reports shall provide this information by judicial circuit.

3276 SPECIAL CATEGORIES
STATE-FUNDED SERVICES COST RECOVERY
FROM GRANTS AND DONATIONS TRUST FUND . . . 600,000

3277 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 704,122
FROM MEDIATION AND ARBITRATION TRUST FUND 500
FROM GRANTS AND DONATIONS TRUST FUND . . . 36,807

3278 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 108,500

TOTAL: COURT OPERATIONS - CIRCUIT COURTS
FROM GENERAL REVENUE FUND 275,690,209
FROM TRUST FUNDS 15,573,198

TOTAL POSITIONS 2,917.00
TOTAL ALL FUNDS 291,263,407

SECTION 7
SPECIFIC
APPROPRIATION
COURT OPERATIONS - COUNTY COURTS

APPROVED SALARY RATE 50,266,617

3278A SALARIES AND BENEFITS POSITIONS 604.00
FROM GENERAL REVENUE FUND 65,448,984

3278B EXPENSES
FROM GENERAL REVENUE FUND 4,294,286

3278C SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM GENERAL REVENUE FUND 275,855

Funds are provided in Specific Appropriation 3278C for county judges assigned to active judicial service in any of the courts created by Article V of the State Constitution. Such funds shall be paid as additional compensation for such service, and shall be computed based on the salary paid to a judge of the court to which the assignment is made, and shall be computed on the basis of an eight hour day, or major fraction thereof.

3278D SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 77,540

3278E SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 152,083

TOTAL: COURT OPERATIONS - COUNTY COURTS
FROM GENERAL REVENUE FUND 70,248,748

TOTAL POSITIONS 604.00
TOTAL ALL FUNDS 70,248,748

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

APPROVED SALARY RATE 302,864

3279 SALARIES AND BENEFITS POSITIONS 5.00
FROM GENERAL REVENUE FUND 386,034

3280 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 224,522

3281 EXPENSES
FROM GENERAL REVENUE FUND 171,227

3282 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,906

3283 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,585

3284 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 223,300

Funds in Specific Appropriation 3284 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.

3284A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 7
SPECIFIC
APPROPRIATION

SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	1,254	
TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS FROM GENERAL REVENUE FUND	1,014,828	
TOTAL POSITIONS	5.00	
TOTAL ALL FUNDS		1,014,828
TOTAL OF SECTION 7 POSITIONS	4,244.50	
FROM GENERAL REVENUE FUND	437,063,440	
FROM TRUST FUNDS		21,349,944
TOTAL ALL FUNDS		458,413,384

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - Fiscal Year 2006-2007

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2006-2007 salary and benefit increases provided in Specific Appropriation 2229. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date but on or before the end of the fiscal year, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively.

Pay Grade Adjustments

It is the intent of the Legislature that, effective October 1, 2006, the minimums for each pay grade and pay band shall be increased by no more than 2.0 percent and the maximums for each pay grade and pay band shall be increased by at least 3 percent, consistent with the salary increases authorized in this act. After the maximum of the pay grade or pay band is increased, if an employee's base rate of pay is equal to or greater than the adjusted maximum of the employee's pay grade and pay band, the employee will be granted a one-time, lump-sum payment in lieu of an increase to the employee's base rate of pay. When an employee's base rate of pay is less than the adjusted maximum of the employee's pay grade or pay band and the increase to the base rate of pay will be greater than the adjusted maximum, the employee's salary will be increased to the adjusted maximum and the portion of the increase that exceeds the adjusted maximum shall be granted instead in a one-time lump-sum payment.

(1) SALARY INCREASES

(a) CAREER SERVICE AND EMPLOYEES SUBJECT TO THE CAREER SERVICE

Funds are provided in Specific Appropriation 2229 for pay increases for all eligible employees represented by: (1) the Florida Police Benevolent Association, (2) the International Union of Police Associations, (3) the Florida Nurses Association, (4) the American Federation of State, County, and Municipal Employees, Council 79, and (5) the Florida State Fire Service Association, as well as all other eligible Career Service employees not included in a represented collective bargaining unit.

Effective October 1, 2006, for all eligible unit and non-unit Career Service employees, funds are provided to grant a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay.

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS
SPECIFIC
APPROPRIATION
(b) FLORIDA BOARD OF EDUCATION AND BOARD OF GOVERNORS

1. Generally

Effective October 1, 2006, from the funds in Specific Appropriation 2229, funds are provided to grant each eligible employee of the State University System whose position is funded by the General Revenue Fund a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay, contingent upon the employing university providing sufficient other funds for a competitive pay adjustment of 3 percent for all other eligible employees of the state university.

No funds in Specific Appropriation 2229 have been provided for salary increases for personnel employed by the developmental research schools associated with the universities.

2. Graduate Assistants

Effective October 1, 2006, from the funds in Specific Appropriation 2229, funds are provided to grant each eligible graduate assistant and graduate health profession assistant a 3 percent competitive pay adjustment on each employee's September 30, 2006, base rate of pay.

(c) EXEMPT FROM CAREER SERVICE

1. Elected officers and full-time members of commissions:

Specific Appropriation 2229 includes funding to provide salary increases on base salary, effective October 1, 2006. The following officers shall be paid at the annual rate shown below for the period indicated; however, these salaries may be reduced on a voluntary basis:

	7/1/06	10/1/06
Governor	$ 129,060	132,932
Lieutenant Governor	123,688	127,399
Chief Financial Officer	127,771	131,604
Attorney General	127,771	131,604
Agriculture, Commissioner of	127,771	131,604
Supreme Court Justice	160,735	161,200
Judges-District Courts of Appeal	148,524	153,140
Judges-Circuit Courts	139,497	145,080
Judges-County Courts	130,693	137,020
Commissioner-Public Service Commission	128,825	132,690
Public Employees Relations Commission Chair	94,897	97,744
Public Employees Relations Commission Commissioners	89,878	92,575
Commissioner-Parole and Probation	89,878	92,575
State Attorneys	148,524	153,140
Public Defenders	148,524	153,140

None of the officers whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

2. Senior Management Service and Selected Exempt Service:

Effective October 1, 2006, funds are provided in Specific Appropriation 2229 to grant each eligible employee of the Senior Management Service and each eligible unit and non-unit employee of the Selected Exempt Service a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay.

(d) CAREER SERVICE EXEMPT AND THE FLORIDA NATIONAL GUARD:

Effective October 1, 2006, funds in Specific Appropriation 2229 are provided to grant each eligible employee a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay.

(e) JUDICIAL

Effective October 1, 2006, funds provided in Specific Appropriation 2229 are to grant each eligible employee a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay.

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS
SPECIFIC
APPROPRIATION

(f) LOTTERY EXECUTIVE MANAGEMENT SERVICE AND LOTTERY EXEMPT SERVICE

Effective October 1, 2006, from funds provided in Specific Appropriation 2229, funds are provided to grant each eligible Lottery Executive Management Service employee and each unit and non-unit Lottery Exempt Service employee a competitive pay adjustment of 3 percent on each employee's September 30, 2006, base rate of pay.

(g) FLORIDA SCHOOL FOR THE DEAF AND THE BLIND:

Effective October 1, 2006, funds are provided in Specific Appropriation 2229 for non-career service employees of the School for the Deaf and the Blind to receive competitive pay adjustments of 3 percent on each employee's September 30, 2006, base rate of pay. Distribution of the funds for unit employees shall be pursuant to the negotiated collective bargaining agreement, and distribution of the funds for non-unit employees shall be at the discretion of the Board of Trustees.

(h) SPECIAL PAY ISSUES

Increases authorized in this paragraph shall not be included in any employee's September 30, 2006, base rate of pay.

1. From the funds in Specific Appropriation 2229, $1,061,150 from the General Revenue Fund is provided to the Florida School for the Deaf and Blind to be used to supplement salaries of personnel at the school as described in the Department of Education's legislative budget request (issue code 4705A00).

2. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $669,082 from the General Revenue Fund is provided to the Department of Children and Family Services for the Performance Path to Excellence initiative for child protective investigators as described in the Governor's Recommended Budget (issue code 3006A20).

3. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $669,315 from the General Revenue Fund is provided to the Department of Children and Family Services for the Performance Path to Excellence initiative for abuse registry employees as described in the Governor's Recommended Budget (issue code 3006A30).

4. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $1,048,402 from the General Revenue Fund and $349,497 from Trust Funds are provided to the Department of Children and Family Services for pay adjustments to adult protective investigators as described in the Governor's Recommended Budget (issue code 3006000).

5. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $196,187 from Trust Funds is provided to the Department of Environmental Protection for pay adjustments to personnel in key positions in Coastal and Aquatic Managed Areas as described in the Governor's Recommended Budget (issue code 4700A20).

6. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $2,453,781 from the General Revenue Fund and $2,203,124 from Trust Funds are provided to the Department of Juvenile Justice to provide competitive pay adjustments of 5 percent on the employee's September 30, 2006, base rate of pay, as described in the Governor's Recommended Budget (issue code 5001600). Employees eligible under this paragraph shall be employed in class codes 5711, 5712, 5713, 5721, 5722, 5725, 5726, 5727, 5953, 5965, 5966, and 5967.

7. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $845,004 from the General Revenue Fund and $241,204 from Trust Funds are provided to fund competitive pay adjustments of 5 percent on the employee's September 30, 2006, base rate of pay for the unit members of the Florida State Fire Service and the supervisors of the unit members employed by the Forestry Division of the Department of Agriculture and Consumer Affairs.

8. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $599,571 from the General Revenue Fund is provided to the Department of Financial Services to provide annualized competitive pay

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adjustments of $5000 to the law enforcement bargaining unit members and non-unit members employed to conduct PIP fraud investigations.

9. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $459,000 from the General Revenue Fund are provided for recruitment and retention of professional accountants within the Department of Agriculture and Consumer Services and the Department of Financial Services. Such funds shall be distributed equally between the two departments.

10. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $384,810 from the General Revenue Fund is provided to the Department of Law Enforcement to implement the Sworn Structured Retention and Recruitment Plan as described in the department's legislative budget request (issue code 4003A00). No payout under this plan will be made prior to October 1, 2006.

11. From the funds in Specific Appropriation 2229, $82,954 from the General Revenue Fund is provided to the State Courts System to pay the retirement contributions associated with law enforcement officers within the judicial branch.

12. Effective January 1, 2007, from the funds in Specific Appropriation 2229, $78,360 from Trust Funds is provided to the Department of Law Enforcement to implement the Capitol Police Compression Compensation Plan for the unit and non-unit employees of the law enforcement bargaining unit serving in the Capitol Police as described in the department's legislative budget request (issue code 4006A00). Service shall be based upon employment within the Capitol Police and in a position within the law enforcement officer class series. No employee shall receive more than one compression adjustment during the fiscal year.

13. Effective October 1, 2006, from the funds in Specific Appropriation 2229, $9,334,442 from the General Revenue Fund and $290,597 from Trust Funds are provided to implement retention adjustments for the unit and non-unit employees of the security services collective bargaining unit. Each eligible employee with at least 5 years of service but less than six years of service with the employing agency as of September 30, 2006, shall receive an increase of 2 percent to the employee's September 30, 2006, base rate of pay; provided, however, that an employee is ineligible if that employee received a retention adjustment during the 2005-2006 fiscal year. Each eligible employee with at least 10 years of service with the employing agency as of September 30, 2006, shall receive an increase of 3 percent to the employee's September 30, 2006, base rate of pay. No employee shall receive more than one retention adjustment during the fiscal year. Service shall be based upon employment with the employing agency (or its predecessor agency) and in a position within the security services bargaining unit.

14. Effective June 1, 2007, from funds in Specific Appropriation 2229, $103,476 from the General Revenue Fund and $54,502 from Trust Funds are provided to the Department of Law Enforcement to fund the performance based compensation plan, as developed by the department, to provide a 2 percent performance based increase for those employees who exceed performance expectations outlined in employee work plans.

(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) LIFE INSURANCE AND DISABILITY INSURANCE

1. Funds are provided in each agency's budget to continue paying the state share of the State Life Insurance Program premiums. Effective July 1, 2006, the state share of premiums shall increase from $.1143 per $1,000 of employee calculated benefit per month to $.1243 per $1,000 of employee calculated benefit per month on behalf of employees not exempt from making contributions, and from $.1477 per $1,000 of employee calculated benefit per month to $.1577 per $1,000 of employee calculated benefit per month on behalf of employees exempt from making contributions.

2. Funds are provided in each agency's budget to continue paying the State Disability Insurance Program premiums. Effective July 1, 2006, the

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state premium shall decrease from $.15 per $100 of employee regular rate of pay per month to $.07 per $100 of employee regular rate of pay per month.

3. The sum of $3,500,000 shall be transferred from the State Employees' Disability Insurance Trust Fund to the State Employees Life Insurance Trust Fund.

4. The sum of $10,500,000 is appropriated from the General Revenue Fund to the Department of Management Services for deposit into the State Employees Life Insurance Trust Fund.

(b) HEALTH INSURANCE

For the period July 1, 2006, through June 30, 2007, all benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts, and other such health insurance benefits as approved by the Legislature shall remain in effect. No reductions to the level of benefits may be implemented unless specifically authorized by the Legislature.

1. State Paid Premiums

a. For the coverage period July 1, 2006, through April 30, 2007, the state share of the State Group Health Insurance Plan premiums and the state share of the state-contracted health maintenance organization premiums to the executive, legislative and judicial branch agencies shall continue at $346.16 per month for individual coverage and $715.92 per month for family coverage.

b. For the coverage period beginning May 1, 2007, the state share of the State Group Health Insurance Plan premiums to the executive, legislative and judicial branch agencies shall increase, effective April 1, 2007, from $346.16 per month to $377.86 per month for individual coverage and from $715.92 per month to $787.60 per month for family coverage.

2. Premiums paid by Employees

a. For the coverage period July 1, 2006, through June 30, 2007, the employee's share of health insurance premiums for the standard plans shall continue to be $50 per month for individual coverage and $180 per month for family coverage.

b. For the coverage period July 1, 2006, through June 30, 2007, the employee's share of the health insurance premiums for the high deductible plans shall continue to be $15 per month for individual coverage and $64.30 per month for family coverage.

3. Premiums paid by Medicare Participants

a. For the coverage period July 1, 2006, through April 30, 2007, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be $210.34 for "one eligible", $606.50 for "one under/one over", and $420.69 for "both eligible".

b. For the coverage period May 1, 2007, through June 30, 2007, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective April 1, 2007, from $210.34 to $227.18 for "one eligible", from $606.50 to $655.04 for "one under/one over", and from $420.69 to $454.36 for "both eligible."

c. For the coverage period July 1, 2006, through December 31, 2006, the monthly premiums for Medicare participants participating in the Health Maintenance Organization Standard Plan shall continue at the current rates. For the coverage period January 1, 2007, through June 30, 2007, it is the intent of the Legislature that the premiums for Medicare participants participating in the Health Maintenance Organization Standard Plan may increase, effective December 1, 2006, by no more than 10 percent over the 2006 plan year premiums. If the Department of

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Management Services is not able to limit such increases to less than 10 percent, the Secretary of the Department of Management Services shall notify the presiding officers of the Legislature and the Executive Office of the Governor in writing of the circumstances.

d. For the coverage period July 1, 2006, through April 30, 2007, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be $154.16 for "one eligible", $515.32 for "one under/one over", and $308.32 for "both eligible".

e. For the coverage period May 1, 2007, through June 30, 2007, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective April 1, 2007, from $154.16 to $169.46 for "one eligible", from $515.32 to $562.34 for "one under/one over", and from $308.32 to $338.92 for "both eligible."

f. For the coverage period July 1, 2006, through December 31, 2006, the monthly premiums for Medicare participants participating in the Health Maintenance Organization High Deductible Plan shall continue at the current rates. For the coverage period January 1, 2007, through June 30, 2007, it is the intent of the Legislature that the premiums for Medicare participants participating in the Health Maintenance Organization High Deductible Plan may increase, effective December 1, 2006, by no more than 10 percent over the 2006 plan year premiums. If the Department of Management Services is not able to limit such increases to less than 10 percent, the Secretary of the Department of Management Services shall notify the presiding officers of the Legislature and the Executive Office of the Governor in writing of the circumstances.

4. Premiums paid by "Early Retirees"

a. For the coverage period July 1, 2006, through June 30, 2007, an "early retiree" participant participating in a standard plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2006, through April 30, 2007, an "early retiree" participant participating in a high deductible plan shall pay a monthly premium equal to $319.48 for single coverage and $696.88 for family coverage.

c. For the coverage period May 1, 2007, through June 30, 2007, the monthly premium for an "early retiree" participant participating in a high deductible plan shall increase, effective April 1, 2007, from $319.48 to $351.20 for single coverage and $696.88 to $768.56 for family coverage.

5. Premiums paid by COBRA participants

a. For the coverage period July 1, 2006, through June 30, 2007, a COBRA participant participating in a standard plan shall continue to pay a monthly premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2006, through April 30, 2007, the monthly premium for a COBRA participant participating in a high deductible plan shall continue to be $325.88 for single coverage and $710.82 for family coverage.

c. For the coverage period May 1, 2007, through June 30, 2007, the monthly premium for a COBRA participant participating in a high deductible plan shall increase, effective April 1, 2007, from $325.88 to $358.22 for single coverage and from $710.82 to $783.94 for family coverage.

6. The State Group Health Insurance High Deductible Plan and the state-contracted Health Maintenance Organization High Deductible Plan shall include a health savings account feature. Such plans and accounts shall be administered in accordance with the requirements and

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limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

7. The Department of Management Services may contract with a Tricare Supplement vendor offering such a product on a group basis with group rates. Such benefit offering is to be considered part of the State Group Health Insurance Program. Enrollment is to be in lieu of the State Group Health Insurance Standard Plan, the State Group Health Insurance High Deductible Health Plan, the state-contracted Health Maintenance Organization Standard Plan or the state-contracted Health Maintenance Organization High Deductible Health Plan. Eligibility and administration is to be consistent with other offerings under the State Group Health Insurance Program. To fund the premium charged for the supplement, the employing agency shall contribute an amount equal to the contribution paid by the employing agency for other state-sponsored health insurance benefits to the State Employee Group Health Self-Insurance Trust Fund. The employee shall be responsible for any premium in excess of the contribution paid by the employing agency.

(e) STATE EMPLOYEES' PRESCRIPTION DRUG PROGRAM

Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in section 110.12315, Florida Statutes.

2. Co-payments and coinsurance shall be charged as provided in section 110.12315(7), Florida Statutes.

3. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

(f) OTHER PROVISIONS

1. Any changes in the benefits provided under the State Group Health Insurance Program proposed for the 2008 plan year shall be accompanied by a statement signed by an actuary indicating the amount by which monthly premiums would need to change if the proposal were enacted and the benefit changes were to be exclusively funded by a change in plan premiums, unless both the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council determine that such a statement is not necessary.

2. No later than December 1, 2006, the Division of State Group Insurance of the Department of Management Services shall report to the Executive Office of the Governor and the Legislature regarding the life insurance program offered to state employees and state retirees. The report shall include a survey of the benefits and premium levels offered by other state governments and public employers. The report shall also include options for various coverages and premium levels and the fiscal impact of each option. One option shall include maintaining the current benefit level during the 2008 plan year. The report shall include a specific recommendation of the benefit levels to be offered active employees and retirees and the premiums associated with those coverages.

(3) OTHER PROVISIONS

The following items shall be implemented in accordance with the provisions of this act and with the negotiated collective bargaining agreements:

(a) The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university or community college to full-time employees on a space available basis as authorized by law.

(b) Continue to reimburse employees, at current levels, for replacement of personal property.

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(c) Continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(d) Continue to pay employees on-call fees and shift differentials at the levels in effect on May 1, 2006.

(4) COLLECTIVE BARGAINING ISSUES AT IMPASSE

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the International Union of Police Associations, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and Florida Nurses Association relating to wages shall be resolved herein pursuant to the instructions provided under Item "(1) SALARY INCREASES" and other provisions of this section.

(b) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the International Union of Police Associations, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and Florida Nurses Association relating to insurance shall be resolved herein pursuant to the instructions provided under Item "(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.

5. STUDIES, REPORTS AND OTHER PROVISIONS

(a) All state branches, departments, and agencies which have established or approved personnel policies for employees relating to the payment of accumulated and unused annual leave shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(b) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payment for unused annual leave credits accrued on the member's last anniversary date shall be prorated at the rate of one-twelfth (1/12) of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(c) Funds in this act may be expended for bar dues and for legal education courses for attorneys employed by the State as legal staff.

(d) From the funds in Specific Appropriation 2234, $300,000 is appropriated from the General Revenue Fund to the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida to fund the increased costs related to the employer contribution for the IFAS retirement plan.

SECTION 9. Pursuant to sections 1013.74 and 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources which upon completion, will require general revenue funds for operation.

UF - Minor Projects for UF Facilities
UF/HSC - Minor Projects for HSC Facilities
UF/IFAS - Minor Projects for IFAS Facilities
UF/HSC - Shands Medical Plaza B Third and Fourth Floor Additions
UF/IFAS - Plant Science (Citra) Research and Education Unit
UF/IFAS - Gulf Coast Research and Education Center
UF/HSC - College of Medicine, Jacksonville Biomedical Research Labs
UF - Human Resources Administration Building
UF - Pugh Hall
UF - Center for Performing Arts
UF - Law School Trial Center
FSU - President's Residence
FSU - New Chemistry Building
USF - Sun Dome Expansion, Academic Excellence Room
USF - Joint Military Science Leadership Center Phase I
USF - Regional Bio-containment Laboratory

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USF - Joint Military Science Leadership Center Phase II
USF - Engineering Laboratory Addition
UCF - CREOL Expansion
UCF - Career Services & Experiential Learning
UCF - Bio-Medical Enhancement
UCF - Academic Performance Center
UCF - Laboratory Instruction Building
UCF - Convocation Center
UCF - University Tower
UCF - Bio-Molecular Annex
FAU - Aristotle Center
FAU - Alumni Center
FIU - EC Classroom Expansion
FIU - Ecology Laboratory
FGCU - North Lake Swimming Pool
UWF - Arcadia Mill Visitor's Center and Boardwalk

SECTION 10. The Board of Governors is hereby authorized to approve the construction or acquisition of the following projects which are to be financed entirely or partially from revenue bonds issued pursuant to section 11(d), Art. VII of the State Constitution and are hereby authorized to be subsequently refinanced through the issuance of refunding bonds:

FSU - Parking Improvements
FSU - Parking Garage No. 4
FSU - French Study Center
FSU - Spanish Study Center
FSU - Panama Study Center
FSU - Italian Study Center
FSU - South Africa Study Center
FSU - Landis Hall Renovation
FSU - Food Service Improvements
FSU - New Residence Hall
FSU - Parking Garage No. 5
FSU - New Residence Hall
FSU - Health and Wellness Center
FSU - Research & Development Facility - Number Three
FSU - Research & Development Facility - Number Four
FAMU - Bragg Stadium Renovation
FAMU - Housing, Phase IV and V
FAMU - Foundation Building
FAMU - Housing Facilities Renovation
USF - Parking Structure IV
USF - Center for Advanced Health Care
USF - Marshall Center
USF - Student Health Center
USF - Student Residence Facility Phase IV
USF - Office Building I
USF - Parking Structure V
USF - Residential Facilities II
USF - Multi-Purpose Student Center Phase II
USF - Multi-purpose Facility
USF - Student Residence Facility Phase V
USF - Student Residence Dining Hall
USF - Office Building II
USF - Joint-Use Faculty Office Building
USF - Joint-Use Research Building
USF - Joint-Use Parking Structure
USF - Athletic District-Sun Dome
USF - Athletic District Facilities
USF - Medical Office Building
USF - Parking Structure VII
USF - USF Tampa, Art Museum II
USF - Patel Center for Global Research
USF - Refinance Bookstore Revenue Bond 1994
UCF - Marketplace Addition
UCF - Food Court (Interdisciplinary Building)
UCF - Special Purpose Housing and Parking Garage
UCF - Parking Garage VI
UCF - Parking Garage VII
UCF - Parking Deck
UCF - Parking Deck
UCF - Convocation Center

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UCF - Retail Facility
UCF - Academic Performance Center
UCF - Library Expansion
UCF - Foundation Properties (Refinancing)
UCF - Strategic Land and Property Purchase
UCF - Center for the Arts and Education
UCF - Stadium
UCF - Intercollegiate Athletic Mode
UCF - Film and Digital Media Expansion
UCF - Expo Center Housing
UCF - Refinance Research Pavilion
UCF - Research Pavilion Capital Improvements
UCF - Refinance Institute for Simulation and Training (IST)
UCF - Institute for Simulation and Training Capital Improvements
UCF - Refinance Orlando Tech Center Building
UCF - Orlando Tech Center Capital Improvements
UCF - Refinance University Tower Building and Biomolecular Research Annex
UCF - Biomolecular Research Annex and University Tower Capital Improvements
UCF - Refinance McCulloch Road Property
UCF - McCulloch Road Property Development
UCF - Office Building Acquisition
UCF - Office Building Acquisition
UCF - Mixed Use Facility Acquisition
UCF - Student Housing Acquisition
UCF - Student Housing Acquisition/Development
UCF - Retail Property Acquisition/Development
UCF - Retail Property Acquisition/Development
FAU - Parking Garage
FAU - Jupiter Housing Phase III
FAU - Athletic Innovation Village
FAU - Student Housing
FIU - Parking Garage V
FIU - Parking Garage VI
FIU - Housing Phase V
FIU - Community Stadium Renovation & Expansion
FIU - County Health General Office Building
FIU - College of Business E - Learning Building
FIU - Faculty Housing
FIU - Food Services Miscellaneous Projects
UNF - Housing Facility
UNF - Student Life Building
FGCU - Student Housing Phase VIII
FGCU - Parking Garage
FGCU - Research Center
FGCU - Conference Center
FGCU - Asian Studies Facility
NC - Residence Halls and Student Activity Center
UF - Pugh Hall (Graham Center)
UF - Center for Performing Arts
UF - Law School Trial Center
UF - Southeast Parking Garage Complex
UF - Archer Clinic

SECTION 11. The Board of Governors is hereby authorized to approve the construction or acquisition of the following projects which are to be financed entirely or partially from revenue bonds issued pursuant to section 11(d), Art. VII of the State Constitution, and are hereby authorized to be subsequently refinanced through the issuance of refunding bonds, which upon completion will not require general revenue funds for operation:

FIU - Parking Garage V
FIU - Parking Garage VI
FIU - Housing Phase V
FIU - Community Stadium Renovation & Expansion
FIU - County Health General Office Building
FIU - College of Business E-Learning Building
FIU - Faculty Housing

SECTION 12. Pursuant to sections 1004.28(6), 1001.74(5), 1013.78, 1013.171, 1013.15, 1013.74, 1013.16, 1013.17 and 1010.60(2), Florida

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Statutes, the following fixed capital outlay projects may be constructed, acquired, and financed by a university certified direct support organization. This authorization does not obligate the Legislature to provide general revenue funds to operate and maintain these facilities.

FSU - French Study Center
FSU - Spanish Study Center
FSU - Panama Study Center
FSU - Italian Study Center
FSU - South Africa Study Center
FSU - President's Residence
FSU - Campus Landscaping Improvements
FSU - Research & Development Facility - Number Three
FSU - Research & Development Facility - Number Four
UCF - Special Purpose Housing and Parking Garage
UCF - Parking Garage VI
UCF - Parking Garage VII
UCF - Parking Deck
UCF - Parking Deck
UCF - Convocation Center
UCF - Retail Facility
UCF - Academic Performance Center
UCF - Library Expansion
UCF - Foundation Properties (Refinancing)
UCF - Strategic Land and Property Purchase
UCF - Center for the Arts and Education
UCF - Stadium
UCF - Intercollegiate Athletic Mode
UCF - Film and Digital Media Expansion
UCF - Expo Center Housing
UCF - Refinance Research Pavilion
UCF - Research Pavilion Capital Improvements
UCF - Refinance Institute for Simulation and Training (IST)
UCF - Institute for Simulation and Training Capital Improvements
UCF - Refinance Orlando Tech Center Building
UCF - Orlando Tech Center Capital Improvements
UCF - Refinance University Tower Building and Biomolecular Research Annex|
UCF - Biomolecular Research Annex and University Tower Capital Improvements|
UCF - Refinance McCulloch Road Property
UCF - McCulloch Road Property Development
UCF - Office Building Acquisition
UCF - Office Building Acquisition
UCF - Mixed Use Facility Acquisition
UCF - Student Housing Acquisition
UCF - Student Housing Acquisition/Development
UCF - Retail Property Acquisition/Development
UCF - Retail Property Acquisition/Development
FAU - Aristotle Center
FAU - Jupiter Housing Phase III
FAU - Alumni Center
FAU - Athletic Innovation Village
FIU - FIU Community Stadium Renovation & Expansion
FIU - County Health General Office Building
FIU - College of Business E Learning Building
FIU - Faculty Housing
FIU - Food Service Miscellaneous Projects
FIU - Parking Garage V
FIU - Parking Garage VI
FIU - Housing Phase V
UNF - Housing Facility
UNF - Student Life Building
FGCU - Student Housing Phase VIII
FGCU - Parking Garage
FGCU - Research Center
FGCU - Conference Center
FGCU - Asian Studies Facility
NC - Residence Halls and Student Activity Center
UF - Pugh Hall (Graham Center)
UF - Center for Performing Arts
UF - Law School Trial Center

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UF - Southeast Parking Garage Complex
UF - Archer Clinic
UF/HSC - Shands Medical Plaza B Third and Fourth Floor Additions
USF - Parking Structure IV
USF - Center for Advanced Health Care
USF - Marshall Center
USF - Student Health Center
USF - Student Residence Facility Phase IV
USF - Office Building I
USF - Parking Structure V
USF - Residential Facilities II
USF - USF Tampa, Art Museum II
USF - Patel Center for Global Research
USF - Refinance Bookstore Revenue Bond 1994
USF - Parking Structure VII
USF - Multi-Purpose Student Center Phase II
USF - Multi-purpose Facility
USF - Student Residence Facility Phase V
USF - Student Residence Dining Hall
USF - Office Building II
USF - Joint-Use Faculty Office Building
USF - Joint-Use Research Building
USF - Joint-Use Parking Structure
USF - Athletic District - Sun Dome
USF - Athletic District Facilities
USF - Medical Office Building

SECTION 13. Pursuant to section 1013.78, Florida Statutes, the University of West Florida is authorized to acquire the Arcadia Mill Archaeological/Historic Site from the University of West Florida certified Direct Support Organization, which was previously authorized to acquire the property pursuant to section 10 of chapter 2004-268, Laws of Florida.

SECTION 14. Funds provided in Specific Appropriation 15 of chapter 2005-70, Laws of Florida, to the University of Florida relating to the UF Band Shell Replacement in the amount of $1,500,000 shall revert immediately and are appropriated to the University of Florida for Reitz Student Union Renovation and Repairs.

SECTION 15. Funds provided in Specific Appropriation 27B of chapter 2004-269, to Florida Gulf Coast University's Alec P. Courtelis Facility Enhancement Challenge Grant Program in the amount of $2,500,000 for the Naples Botanical Garden Lab Project shall revert immediately and are appropriated to the same project, Naples Botanical Garden Lab, for Florida Gulf Coast University's Alec P. Courtelis Facility Enhancement Challenge Grant Program.

SECTION 16. The unexpended balance of funds provided by the Alec P. Courtelis Facility Enhancement Challenge Grant Program to the Florida State University Chemistry Building in Specific Appropriation 177A of chapter 2000-166, Laws of Florida, shall revert immediately and is appropriated as state match for charitable gifts received by Florida State University as follows: $2,623,028 to fund the construction of a Student Success Center Building; $1,376,972 to fund the Human Performance Center Building in The College of Medicine; $500,000 to fund the Marine Aquatic and Science Center in The College of Arts and Sciences; $500,000 to fund the Recreation and Leisure Services Program in The College of Education; and $500,000 to fund a "Back Lot" storage area for The College of Motion Picture.

SECTION 17. Funds provided in Specific Appropriation 15 of chapter 2005-70, Laws of Florida, to Florida International University relating to the FIU Graham Center Conference Addition in the amount of $6,713,527, and the FIU resident student Dining Facility in the amount of $3,050,000, shall revert immediately and are appropriated to Florida International University for the FIU Training Room in the amount of $1,563,527, the football stadium expansion in the amount of $6,675,000, the coaches offices in the amount of $1,425,000, and the athletics academic support center in the amount of $100,000.

SECTION 18. The unexpended balance of $336,250 provided to Valencia Community College in Specific Appropriation 15 of chapter 2002-394, Laws

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of Florida, relating to Remodeling/Renovations of Humanities and Social Science Buildings - West for $3,421,443, shall revert immediately and is appropriated to Valencia Community College for needed general renovation/remodeling Collegewide.

SECTION 19. The unexpended balance of $633,364 provided to Valencia Community College in Specific Appropriation 12C of chapter 2003-397, Laws of Florida, relating to Workforce Development Building 9 - East partial (ce) for $11,454,495, shall revert immediately and is appropriated to Valencia Community College for needed general renovation/remodeling Collegewide.

SECTION 20. The unexpended balance of $132,323 provided to Valencia Community College in Specific Appropriation 12C of chapter 2003-397, Laws of Florida, relating to Technical Science Building 3 IT/WF - Osceola complete (ce) for $1,487,441, shall revert immediately and is appropriated to Valencia Community College for needed general renovation/remodeling Collegewide.

SECTION 21. The unexpended balance of $586,884 provided to Valencia Community College in Specific Appropriation 22 of chapter 2004-268, Laws of Florida, relating to Remodeling/Renovations to Gymnasium to Classrooms with/addition for $5,797,850, shall revert immediately and is appropriated to Valencia Community College for needed general renovation/remodeling Collegewide.

SECTION 22. The unexpended balance of funds provided to Miami Dade College in Specific Appropriation 22 of chapter 2004-268, Laws of Florida, relating to Remodeling/Renovation Facility 1 - Homestead for $701,928, shall revert immediately and is appropriated for the same purpose and for additional space in Facilities 6 and 8 for labs, classrooms, library/study, office and support spaces on the Homestead Campus of Miami Dade College.

SECTION 23. Pursuant to section 1013.40, Florida Statutes, the specified community colleges are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated community college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Seminole Community College - Acquire land and/or acquire or construct facilities adjacent to the Sanford/Lake Mary campus for current and future use as classrooms, labs, offices, support facilities and/or parking.

2. Polk Community College - Acquire land and/or facilities for future development of classrooms, labs, offices, support facilities and parking at the State Board of Education newly approved Lake Wales Special Purpose Center.

3. Central Florida Community College - Acquire land and/or acquire or construct facilities for the State Board of Education approved site in Levy County to replace the existing leased site with permanent facilities including new classrooms, labs, offices, support services and parking.

4. Central Florida Community College - Acquire land and/or acquire or construct facilities for a State Board of Education approved site in Marion County to serve the additional and future growth in the county that will require educational services.

5. Hillsborough Community College - Acquire land and/or facilities for a future Special Purpose Center to develop classrooms, labs, offices, support facilities and parking to house the Automotive Collision Repair and Automotive Mechanic programs administered by the Ybor City Campus.

SECTION 24. The unexpended balances of funds provided in Specific Appropriation 134 of chapter 2003-397, Laws of Florida, and Specific

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Appropriation 165 of chapter 2004-268, Laws of Florida, to the Florida Education Fund for the Minority Participation in Legal Education Program shall revert immediately and are appropriated to the Florida Education Fund and authorized to be used for the McKnight Doctoral Fellowship Program. These funds shall be used to provide an equal number of doctoral fellowships for African American and Hispanic doctoral students, and to implement an intensive research and writing skills development program to assist Ph.D. candidates in preparing for comprehensive exams, write dissertations, and publish.

SECTION 25. The University of South Florida Board of Trustees is authorized to exceed the 5 percent limitation on annual fee increases in section 1009.24, Florida Statutes, for the purpose of increasing the USF-St. Petersburg Campus Activity and Service Fee. The increase in the Activity and Service Fee may be used to generate revenue to retire bonds or other forms of indebtedness issued or procured for the purposes of planning, constructing, equipping, and operating a Student Center Facility. The increase in the Activity and Service fee approved by the Board of Trustees may not exceed $13 per credit hour.

SECTION 26. There is hereby appropriated $21,595,632 in recurring funds to the Department of Health from the County Health Department Trust Fund for double budget purposes to cover Fiscal Year 2005-2006 Pay Increases, Health Insurance and Retirement adjustments for the county health department eligible employees. This section shall take effect upon becoming law.

SECTION 27. From the June 30, 2006, unexpended balance of funds provided to the Agency for Persons with Disabilities in Specific Appropriation 611 of chapter 2005-70, Laws of Florida, relating to the Home and Community Based Services Waiver, and Specific Appropriation 614 of chapter 2005-70, Laws of Florida, relating to the Community and Supported Living Waiver, up to $15,000,000 from the General Revenue Fund shall revert immediately and is appropriated to provide one-time, non-recurring family care services to individuals on the waitlist.

SECTION 28. Social Services Block Grant funds in the amount of $23,508,916 received by the Department of Children and Family Services for health and mental health services and for repair, renovation and construction of health and mental facilities are hereby appropriated to a Qualified Expenditure Appropriation Category. The department is authorized to submit a distribution plan for these funds for approval by the Legislative Budget Commission pursuant to the provisions of chapter 216, Florida Statutes.

SECTION 29. The Agency for Persons with Disabilities shall transfer $535,000 from the agency's unencumbered cash to the Grants and Donations Trust Fund in the Department of Health for swimming certification provided by the Dan Marino Foundation, Inc.

SECTION 30. Funding in the amount of $15,000,000 from the General Revenue Fund in Specific Appropriation 1696 of chapter 2005-70, Laws of Florida, shall revert immediately and is appropriated to expedite the implementation of beach restoration projects that will serve to mitigate damage to coastal roadways impacted by the hurricanes and tropical storms of 2004 and 2005. State funding shall be consistent with the criteria in the 2004 Hurricane Recovery Plan for Florida's Beach and Dune System as specified in section 3.(2) of chapter 2004-475, Laws of Florida.

SECTION 31. (1) Contingent upon passage of CS/CS for Senate Bill 1226 or similar legislation that authorizes the purchase of the Babcock Crescent B Ranch as a Florida Forever acquisition, the Department of Environmental Protection is hereby authorized and directed to transfer $310,000,000 to the department's Florida Forever Trust Fund from the following department trust funds in the amounts specified:

Conservation and Recreation Lands Trust Fund 50,000,000
Land Acquisition Trust Fund 15,000,000
Water Management Lands Trust Fund.....245,000,000

(2) Contingent upon passage of House Bill 1347 or similar legislation that authorizes the purchase of the Babcock Crescent B Ranch as a

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conservation acquisition, the Department of Environmental Protection is hereby authorized and directed to transfer $295,000,000 to the department's Land Acquisition Trust Fund from the following department trust funds in the amounts specified:

Conservation and Recreation Lands Trust Fund.....50,000,000
Water Management Lands Trust Fund..... 245,000,000

SECTION 32. The unexpended balance of funds provided in the 2005-2006 fiscal year to the Northwest Florida Water Management District and the Suwannee River Water Management District in chapter 2005-291, Laws of Florida, for surface water restoration activities shall revert immediately and is appropriated for the 2006-2007 fiscal year for the same purpose.

SECTION 33. The unexpended balance of funds provided in Specific Appropriation 2998 of chapter 2005-70, Laws of Florida, shall revert immediately and is appropriated for the purpose of the continued implementation of an appellate court case management system.

SECTION 34. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 2090A of chapter 2005-70, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #0090, shall revert immediately and is appropriated for the 2006-2007 fiscal year for the purpose of the original appropriations within the Department of Law Enforcement.

SECTION 35. There is hereby appropriated from the Grants and Donations Trust Fund in the Department of Law Enforcement, for Fiscal Year 2005-2006, the sum of $12,993,825 to expend federal funds awarded by the Federal Emergency Management Agency (FEMA) for disaster assistance resulting from Fiscal Year 2005-2006 Hurricanes Dennis, Wilma, Ivan, and Katrina. This section will take effect upon becoming law.

SECTION 36. Funding in the amount of $1,500,000 from general revenue provided in Specific Appropriation 751 of the 2005-2006 General Appropriations Act, chapter 2005-70, Laws of Florida, relating to the Santa Rosa Correctional Institution shall revert immediately and is appropriated to the Department of Corrections for construction of the Wakulla Correctional Institution.

SECTION 37. There is hereby appropriated $881,834 from the Indigent Criminal Defense Trust Fund to the Justice Administrative Commission for the 2005-2006 fiscal year for public defender due process costs and $3,537,655 from the Indigent Criminal Defense Trust Fund to the Justice Administrative Commission for the 2005-2006 fiscal year for criminal conflict case costs. This section shall take effect upon becoming law.

SECTION 38. From Specific Appropriations 834, 840, 842, and 2999, chapter 2005-70, Laws of Florida, the amounts of $1,000,000, $1,300,000, $1,000,000, and $774,334, respectively from General Revenue shall revert immediately, and $3,257,923 is appropriated to the Justice Administrative Commission for the 2005-2006 fiscal year for criminal conflict case costs and $816,411 is appropriated to the Justice Administrative Commission for the 2005-2006 fiscal year for child dependency and civil conflict case costs. This section shall take effect upon becoming law.

SECTION 39. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2090A of chapter 2005-70, Laws of Florida, and placed in the Grants and Donations Trust Fund of the Wireless Services budget entity on August 15, 2005, by approved budget amendment EOG #0090 for hardening critical infrastructure at the Shared Resource Center and State Emergency Operations Center, shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Management Services to continue this project.

SECTION 40. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2090A of chapter 2005-70, Laws of Florida, and placed in the Grants and Donations Trust Fund of the Information Services budget entity on August 15, 2005, by

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approved budget amendment EOG #0090 for a statewide interoperable communications solution, shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Management Services to continue this project.

SECTION 41. The unexpended balance of funds provided to the Department of Management Services in section 31 of chapter 2005-70, Laws of Florida, and placed in the Grants and Donations Trust Fund of the Wireless Services budget entity on August 19, 2005, by approved budget amendment EOG #0005 for standardization of communications equipment in state and local mobile command posts, shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Management Services to continue this project.

SECTION 42. The unexpended balance of funds provided to the Department of Management Services in section 32 of chapter 2005-70, Laws of Florida, and placed in the Grants and Donations Trust Fund of the Wireless Services budget entity on August 19, 2005, by approved budget amendment EOG #0005 for statewide infrastructure build out of mutual aid emergency communication channels, shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Management Services to continue this project.

SECTION 43. The unexpended balance of funds provided to the Department of Financial Services in specific appropriation 2090A of chapter 2005-70, Laws of Florida, and placed in the Insurance Regulatory Trust bund of the Professional Training and Standards budget entity, within the State Fire Marshal Program, on August 15,2005, by approved budget amendment EOG #0090, for strengthening Domestic Security support by the State Fire Marshal response teams shall revert immediately and is appropriated to the Department of Financial Services for the original purpose.

SECTION 44. The unexpended balance of the funds appropriated in section 42 of chapter 2005-70, Laws of Florida, for the Early Learning Information System - Development of Functional Requirements, shall revert immediately and is appropriated for the 2006-2007 fiscal year for the same purpose.

SECTION 45. The unexpended balance of funds provided in Specific Appropriation 2012 of chapter 2004-268, Laws of Florida, to the Department of Transportation related to the construction of a maintenance facility in DeFuniak Springs shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Transportation for construction of an operations center in District 3.

SECTION 46. The unexpended balance of funds provided in Specific Appropriations 2008 and 2065 of chapter 2005-70, Laws of Florida, to the Department of Transportation related to the acquisition of motor vehicles shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Transportation for the same purpose.

SECTION 47. The unobligated balance of funds provided pursuant to approved budget amendments: EOG #0126, dated August 26, 2005; EOG #W030, dated October 21, 2005; and EOG #W051, dated December 16, 2005, for the following appropriation categories in the Department of Transportation: Major Disaster 2004-05 Hurricane Charley FEMA Declaration #1539 DOT Work Program (089929), G/A Major Disaster 2004-05 Hurricane Frances Executive Order 04-192 DOT Work Program (089934),G/A Major Disaster 2004-05 Hurricane Ivan FEMA Declaration #1551 - DOT Work Program (089938), G/A Major Disaster 2004-05 Hurricane Jeanne FEMA Declaration #1561 DOT Work Program (089948), and Grants and Aids - 2005 Hurricanes - DOT Work Program (089958), are hereby reverted and appropriated for the 2006-2007 fiscal year to the Department of Transportation for the same purpose.

SECTION 48. The unexpended balance of non-recurring funds appropriated in section 2 of chapter 2005-51, Laws of Florida, for the Department of Military Affairs Family Readiness Program shall revert immediately and is appropriated for the 2006-2007 fiscal year for the same purpose. The department may contract to provide need-based assistance to the family members eligible under section 250.5206, Florida Statutes.

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SECTION 49. The unexpended funds provided to the Department of Community Affairs for domestic security issues in Specific Appropriation 2090A and section 40 of chapter 2005-70, Laws of Florida, and subsequently distributed to the Department of Community Affairs pursuant to budget amendments EOG #0090 and EOG #0005, respectively, shall revert immediately and is appropriated for the 2006-2007 fiscal year to the Department of Community Affairs for the purpose of the original appropriations or reallocations between any of the funded projects approved by the Domestic Security Oversight Board.

SECTION 50. The sums of $12 million of non-recurring funds from the General Revenue Fund and $3 million of non-recurring funds from Special Employment Security Administration Trust Fund are appropriated for the 2005-2006 fiscal year to the Agency for Workforce Innovation to reimburse the federal government for disallowed expenditures related to the Performance Based Incentive Fund program. If the Agency for Workforce Innovation is required by judicial order or through a negotiated settlement to reimburse the federal government for disallowances related to this program in excess of $15 million, the Agency, through the Executive Office of the Governor, may submit a budget amendment for consideration by the Legislative Budget Commission to authorize the appropriation, release and expenditure of needed funds from the General Revenue Fund for either the 2005-2006 fiscal year or the 2006-2007 fiscal year. This section shall take effect upon becoming law.

SECTION 51. The unexpended balance of funds provided in Specific Appropriation 2377A of chapter 2003-397, Laws of Florida, shall revert immediately and is appropriated for the 2006-2007 fiscal year for the purpose of the original appropriation within the Department of Highway Safety and Motor Vehicles.

SECTION 52. The unexpended balance of funds for Project Aspire Remediation provided in Specific Appropriation 2085 in chapter 2005-70, Laws of Florida, shall revert immediately and is appropriated for its original purpose. Funds provided in this appropriation shall be placed in reserve. Each agency requesting remediation funds shall submit a funding proposal to the Executive Office of the Governor and the chair and vice chair of the Legislative Budget Commission. The funding proposal shall include a detailed description of the accounting and financial system functionality that is critically needed by the agency but which is not provided by the Aspire system. The Agency Chief Information Officers Council shall review each agency proposal and submit a recommendation to the Executive Office of the Governor and the chair and vice chair of the Legislative Budget Commission. Upon the submission of a recommendation by the council, an agency may request a budget amendment to transfer funds for implementation of the agency's funding proposal for approval by the Legislative Budget Commission.

SECTION 53. There is appropriated $500,000 from non-recurring general revenue funds to the Taxation and Budget Reform Commission created pursuant to section 6 of Article XI of the State Constitution.

SECTION 54. The Chief Financial Officer is hereby authorized to transfer $157,300,000 in general revenue funds to the Budget Stabilization Fund for Fiscal Year 2006-2007 as required in section 19(g), Article III of the Constitution of the State of Florida.

SECTION 55. $100,000 of the unexpended funds appropriated pursuant to chapter 2004-474, Laws of Florida, for the purpose of paying partial reimbursement of property and sales taxes for damage caused by 2004 named tropical storms that reverted on December 31, 2005, is appropriated for the 2006-2007 fiscal year for the purpose of paying any such reimbursements to property owners who timely filed and were approved for reimbursement under chapter 2004-474, Laws of Florida, but who were not paid prior to the reversion of the appropriation.

SECTION 56. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 57. Except as otherwise provided herein, this act shall take effect July 1, 2006, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2006, then it shall operate retroactively to July 1, 2006.

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TOTAL THIS GENERAL APPROPRIATION ACT POSITIONS 113,408.74

FROM GENERAL REVENUE FUND 27848,121,889

FROM TRUST FUNDS 43478,162,511

TOTAL ALL FUNDS 71326,284,400

TOTAL APPROVED SALARY RATE 4470,953,197

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5001** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5003, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act implementing the 2006-2007 General Appropriations Act; providing legislative intent; providing for use of specified calculations with respect to the Florida Education Finance Program; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine

s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 2006-2007.*

Section 2. *In order to implement Specific Appropriations 7, 8, and 91-97 of the 2006-2007 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2006-2007 fiscal year in the document entitled "Public School Funding—The Florida Education Finance Program" dated May 2, 2006, and filed with the Clerk of the House of Representatives are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.*

Section 3. *In order to implement section 91 of the 2006-2007 General Appropriations Act, the Special Teachers Are Rewarded performance pay plan (STAR Plan) is hereby created for the 2006-2007 fiscal year. Funds for the plan shall be expended and distributed pursuant to proviso in the General Appropriations Act. Rules adopted by the State Board of Education pursuant to s. 1012.22, Florida Statutes, which are in conflict with the STAR Plan guidelines are hereby suspended. This section expires July 1, 2007.*

Section 4. In order to implement Specific Appropriation 375-380 of the 2006-2007 General Appropriations Act, paragraph (c) is added to subsection (14) of section 287.057, Florida Statutes, to read:

287.057 Procurement of commodities or contractual services.—

(14)

(c) Notwithstanding paragraph (a), the Department of Children and Family Services may enter into agreements, not to exceed 23 years, with a private contractor to finance, design, and construct a secure facility, as described in s. 394.917, of at least 600 beds and to operate all aspects of daily operations within the secure facility. The contractor may sponsor the issuance of tax-exempt certificates of participation or other securities to finance the project, and the state may enter into a lease-purchase agreement for the secure facility. The department shall begin the implementation of this privatization initiative by July 1, 2006. This paragraph expires July 1, 2007.

Section 5. In order to implement Specific Appropriation 652 of the 2006-2007 General Appropriations Act, subsection (5) is added to section 381.0402, Florida Statutes, to read:

381.0402 Area health education center network.—The department, in cooperation with the state-approved medical schools in this state, shall organize an area health education center network based on earlier medically indigent demonstration projects and shall evaluate the impact of each network on improving access to services by persons who are medically underserved. The network shall be a catalyst for the primary care training of health professionals through increased opportunities for training in medically underserved areas.

(5) Notwithstanding subsection (4), the department may not use any portion of the annual appropriation to administer and evaluate the network. This subsection expires July 1, 2007.

Section 6. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 720, 731, 741, and 1171 of the 2006-2007 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county if the facility is located in the unincorporated portion of the county. This section expires July 1, 2007.*

Section 7. In order to implement Specific Appropriations 710-805 and 833-864 of the 2006-2007 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter on increasing the number of authorized positions, and for the *2006-2007* ~~2005-2006~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *March 21, 2006* ~~February 14, 2005~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from *unallocated general revenue* ~~the General Revenue Fund or the Working Capital Fund~~ sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to the authority granted in this

subsection shall be subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, *2007* ~~2006~~.

Section 8. *In order to implement Specific Appropriations 875, 876, 878, 879, 3248, and 3275 of the 2006-2007 General Appropriations Act, if a deficit is projected by the Justice Administrative Commission or the state courts in any specific appropriation provided for due process services, the Governor or the Chief Justice of the Supreme Court, respectively, may submit a budget amendment for consideration by the Legislative Budget Commission to authorize the expenditure of funds from unallocated general revenue to offset such deficiency. Any budget amendment submitted by the Governor to the Legislative Budget Commission shall contain certification by the Justice Administrative Commission that all actions required by s. 29.015, Florida Statutes, have been completed and that no funds exist in any contingency fund appropriation available to the entity projected to experience the deficiency. Any budget amendment submitted by the Supreme Court shall contain certification that the court has completed all actions required by s. 29.016, Florida Statutes, and that no funds exist in any contingency fund available to the state courts system. This section expires July 1, 2007.*

Section 9. *In order to implement Specific Appropriations 1321 and 1325 of the 2006-2007 General Appropriations Act, the Department of Legal Affairs is authorized to expend appropriated funds in Specific Appropriations 1321 and 1325 on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.*

Section 10. *In order to implement Specific Appropriation 3116 of the 2006-2007 General Appropriations Act, and to correct the inequality caused by the use of estimates of prior year expenditures to establish maximum annual budgets for the 2004-2005 county fiscal year that resulted in the maximum annual budget for one clerk of court that was substantially less than the amount that would have been set if actual prior-year expenditures had been used, the maximum annual budget for the Clerk of the Circuit Court, Hillsborough County, is increased by $908,378 for the 2005-2006 county fiscal year. This section expires July 1, 2007.*

Section 11. In order to implement Specific Appropriation 1239 of the 2006-2007 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the *2006-2007* ~~2005-2006~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001. This paragraph expires July 1, *2007* ~~2006~~.

Section 12. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2006-2007 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Risk Management Insurance" of the 2006-2007 General Appropriations Act between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2007.*

Section 13. *In order to implement the appropriation of funds in Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract of the 2006-2007 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2006-2007 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2007.*

Section 14. In order to implement sections 2-7 of the 2006-2007 General Appropriations Act, paragraph (c) of subsection (5) and paragraph (d) of subsection (6) of section 112.061, Florida Statutes, are amended to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.—For purposes of reimbursement and methods of calculating fractional days of travel, the following principles are prescribed:

(c) For the *2006-2007* ~~2005-2006~~ fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, *2007* ~~2006~~.

(6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For purposes of reimbursement rates and methods of calculation, per diem and subsistence allowances are divided into the following groups and rates:

(d) For the *2006-2007* ~~2005-2006~~ fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, *2007* ~~2006~~.

Section 15. In order to implement Specific Appropriations 2231 and 2861-2869 of the 2006-2007 General Appropriations Act, paragraph (a) of subsection (3) and subsection (6) of section 287.17, Florida Statutes, are reenacted to read:

287.17 Limitation on use of motor vehicles and aircraft.—

(3)(a) The term "official state business" may not be construed to permit the use of a motor vehicle for commuting purposes, unless special assignment of a motor vehicle is authorized as a perquisite by the Department of Management Services, required by an employee after normal duty hours to perform duties of the position to which assigned, or authorized for an employee whose home is the official base of operation.

(6) It is the intention of the Legislature that persons traveling on state aircraft for purposes consistent with, but not necessarily constituting, official state business may travel only when accompanying persons who are traveling on official state business and that such persons shall pay the state for all costs associated with such travel. Notwithstanding paragraph (3)(a), a person traveling on state aircraft for purposes other than official state business shall pay for any trip not exclusively for state business by paying a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft.

Section 16. *The amendment of s. 287.17, Florida Statutes, by this act, as carried forward from chapter 2005-71, Laws of Florida, shall expire July 1, 2007, and the text of that section shall revert to that in existence on June 30, 2005, 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 17. In order to implement proviso following Specific Appropriation 2611A of the 2006-2007 General Appropriations Act, subsection (8) is added to section 627.311, Florida Statutes, to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(8) For the 2006-2007 fiscal year only and notwithstanding any conflicting requirements of this section or of section 2 of chapter 2004-266, Laws of Florida:

(a) The operation of a joint underwriting plan approved under this section is subject to the supervision of a nine-member board of governors. Each member shall be appointed by the Financial Services Commission and shall serve at the pleasure of the commission.

(b) The operation of the joint underwriting plan shall be governed by a plan of operation that is prepared at the direction of the board of governors and approved by order of the office. The plan is subject to continuous review by the office. The office may, by order, withdraw approval of all or part of a plan if the office determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan.

(c) If the board determines that a deficit exists in Tier One or Tier Two or that there is any deficit remaining attributable to any of the plan's former subplans and that the deficit cannot be fully funded by using policyholder surplus attributable to former subplan "C" or, if the surplus in the former subplan "C" does not fully fund the deficit and the deficit cannot be fully funded by using any remaining funds in the contingency reserve assessments, the board shall request the office to levy, by order, a deficit assessment against premiums charged to insureds for workers' compensation insurance by insurers as defined in s. 631.904(5). The office shall issue the order after verifying the amount of the deficit. The assessment shall be specified as a percentage of future premium collections, as recommended by the board and approved by the office. The same percentage shall apply to premiums on all workers' compensation policies issued or renewed during the 12-month period beginning on the effective date of the assessment, as specified in the order.

(d) For rates and rating plans effective on or after January 1, 2007, the plan shall be subject to the same requirements of this part for the filing and approval of its rates and rating plans as apply to workers' compensation insurers, except as otherwise provided.

(e) Whenever a deficit exists, the plan shall, within 90 days, provide the office with a program to eliminate the deficit within a reasonable time. The deficit may be funded through increased premiums charged to insureds of the plan for subsequent years, through the use of policyholder surplus attributable to any year, including policyholder surplus in former subplan "C" as authorized in subparagraph (5)(d)2., through the use of assessments as provided in subparagraph (5)(d)2., and through assessments on assessable policies as provided in subparagraph (5)(d)3. Any entity that was a policyholder of former subplan "C" shall not be subject to any assessments that are attributable to deficits in former subplan "C".

(f) Upon dissolution, the assets of the plan shall be applied first to pay all debts, liabilities, and obligations of the plan, including the establishment of reasonable reserves for any contingent liabilities or obligations, and all remaining assets of the plan shall become property of the state and shall be deposited in the Workers' Compensation Administration Trust Fund. However, dissolution shall not take effect as long as the plan has financial obligations outstanding unless adequate provision has been made for the payment of financial obligations pursuant to the documents authorizing the financial obligations.

(g) After the contingency reserve is established, whenever the board determines the subplan or the tier does not have a sufficient cash basis to meet a 6-month period of projected cash needs due to any deficit in the subplan or the tier remaining after accessing any policyholder surplus attributable to former subplan "C," the board is authorized to request the department to transfer funds from the contingency reserve fund within the Workers' Compensation Administration Trust Fund to the plan in an amount sufficient to fund the difference between the amount available and the amount needed to meet the subplan's or the tier's projected cash need for the subsequent 6-month period. The board and the office must first certify to the Department of Financial Services that there is not sufficient cash within the subplan or the tier to meet the projected cash needs in the subplan or the tier within the subsequent 6-month period. The amount requested for transfer to the subplan or the tier may not exceed the difference between the amount available within the subplan or the tier and the amount needed to meet the subplan's or the tier's projected cash need for the subsequent 6-month period, as jointly certified by the board and the Office of Insurance Regulation to the Department of Financial Services, attributable to the former subplan or the tier policyholders. The Department of Financial Services may submit a budget amendment to request release of funds from the Workers' Compensation Administration Trust Fund, subject to the approval of the Legislative Budget Commission. The board shall provide, for review of the Legislative Budget Commission, information on the reasonableness of the plan's administration, including, but not limited to, the plan of operations and costs, claims costs, claims administration costs, overhead costs, claims reserves, and the latest report submitted on administration cost reduction alternatives as required in subparagraph (5)(c)17.

(h) No later than January 1, 2007, the plan shall submit a request to the Internal Revenue Service for a letter ruling or determination on the plan's eligibility as a section 501(c)(3) tax-exempt organization.

(i) This subsection expires July 1, 2007.

Section 18. In order to implement Specific Appropriation 2969A of the 2006-2007 General Appropriations Act, subsections (3) and (4) are added to section 282.318, Florida Statutes, to read:

282.318 Security of data and information technology resources.—

(3) Notwithstanding subsection (2), the Department of Management Services, hereafter referred to as the "department," in consultation with each agency head, is responsible for coordinating, assessing, and recommending minimum operating procedures for ensuring an adequate level of security for data and information technology resources. To assist the department in carrying out this responsibility, each agency shall, at a minimum:

(a) Designate an information security manager who shall administer the security program of the agency for its data and information technology resources.

(b) Conduct, and update every 3 years, a comprehensive risk analysis to determine the security threats to the data, information, and information technology resources of the agency. The risk analysis information made confidential and exempt under subparagraph (2)(a)2. shall be available to the Auditor General in performing his or her postauditing duties.

(c) Develop, and periodically update, written internal policies and procedures that are consistent with the standard operating procedures recommended by the department to ensure the security of the data and information technology resources of the agency. The internal policies and procedures that, if disclosed, could facilitate the unauthorized modification, disclosure, or destruction of data or information technology resources made confidential and exempt under subparagraph (2)(a)3. shall be available to the Auditor General in performing his or her postauditing duties.

(d) Implement appropriate cost-effective safeguards to reduce, eliminate, or recover from the identified risks to the data and information technology resources of the agency.

(e) Ensure that periodic internal audits and evaluations of the security program for the data, information, and information technology resources of the agency are conducted. The results of such internal audits and evaluations made confidential and exempt under subparagraph (2)(a)5. shall be available to the Auditor General in performing his or her postauditing duties.

(f) Include appropriate security requirements in the written specifications for the solicitation of information technology resources that are consistent with the standard security operating procedures as recommended by the department.

(g) This subsection expires July 1, 2007.

In those instances under this subsection in which the department develops state contracts for use by state agencies, the department shall include appropriate security requirements in the specifications for the solicitation for state contracts for procuring information technology resources.

(4) In order to ensure the security of data, information, and information technology resources, the department shall establish the Office of Information Security and shall designate a Chief Information Security Officer as the head of the office. The office shall coordinate its activities with the Agency Chief Information Officers Council as established in s. 282.315. The office is responsible for developing a strategic plan for information technology security which shall be submitted by March 1, 2007, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives; developing standards and templates for conducting comprehensive risk analyses and information security audits by state agencies; assisting agencies in their compliance with the provisions of this section; establishing minimum standards for the recovery of information technology following a disaster; and conducting training for agency information security managers. This subsection expires July 1, 2007.

Section 19. In order to implement Specific Appropriations 2832-2845 of the 2006-2007 General Appropriations Act, subsection (3) and paragraph (e) of subsection (4) of section 255.249, Florida Statutes, are amended to read:

255.249 Department of Management Services; responsibility; department rules.—

(3)*(a)* The department shall, to the extent feasible, coordinate the vacation of privately owned leased space with the expiration of the lease on that space and, when a lease is terminated before expiration of its base term, will make a reasonable effort to place another state agency in the space vacated. Any state agency may lease the space in any building that was subject to a lease terminated by a state agency for a period of time equal to the remainder of the base term without the requirement of competitive bidding.

(b) The department shall annually publish a report that lists, by agency, all leases that are due to expire within 24 months. The annual report must include the following information for each lease: location; size of leased space; current cost per leased square foot; lease expiration date; and a determination of whether sufficient state-owned office space will be available at the expiration of the lease to house affected employees. The report must also include a list of amendments and supplements to and waivers of terms and conditions in lease agreements that have been approved pursuant to s. 255.25(2)(a) during the previous 12 months and an associated comprehensive analysis, including financial implications, showing that any amendment, supplement, or waiver is in the state's long-term best interest. The department shall furnish this report to the Executive Office of the Governor and the Legislature by September 15 of each year. This paragraph expires July 1, 2007.

(4) The department shall promulgate rules pursuant to chapter 120 providing:

(e)*1.* Acceptable terms and conditions for inclusion in lease agreements.

2. Such terms and conditions shall include, at a minimum, the following clauses, which may not be amended, supplemented, or waived:

a. As provided in s. 255.2502, "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

b. "The Lessee shall have the right to terminate, without penalty, this lease in the event a State-owned building becomes available to the Lessee for occupancy in the County of _____, Florida, during the term of said lease for the purposes for which this space is being leased upon giving 6 months' advance written notice to the Lessor by Certified Mail, Return Receipt Requested."

This subparagraph expires July 1, 2007.

Section 20. In order to implement Specific Appropriations 2832-2845 of the 2006-2007 General Appropriations Act, paragraph (d) is added to subsection (2) and paragraph (c) is added to subsection (4) of section 255.25, Florida Statutes, to read:

255.25 Approval required prior to construction or lease of buildings.—

(2)

(d) Notwithstanding paragraph (a) and except as provided in ss. 255.249 and 255.2501, a state agency may not lease a building or any part thereof unless prior approval of the lease terms and conditions and of the need therefor is first obtained from the Department of Management Services. The department may not approve any term or condition in a lease agreement which has been amended, supplemented, or waived unless a comprehensive analysis, including financial implications, demonstrates that such amendment, supplement, or waiver is in the state's long-term best interest. Any approved lease may include an option to purchase or an option to renew the lease, or both, upon such terms and conditions as are established by the department subject to final approval by the head of the Department of Management Services and the provisions of s. 255.2502. This paragraph expires July 1, 2007. This paragraph expires July 1, 2007.

(4)

(c) Because the state has a substantial financial investment in state-owned buildings, it is legislative policy and intent that when state-owned buildings meet the needs of state agencies, agencies must fully use such buildings before leasing privately owned buildings. By September 15, 2006, the Department of Management Services shall create a 5-year plan for implementing this policy. The department shall update this plan annually, detailing proposed departmental actions to meet the plan's goals. The department shall furnish this plan to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor by September 15 of each year. This paragraph expires July 1, 2007.

Section 21. In order to implement Specific Appropriations 2832-2845 of the 2006-2007 General Appropriations Act, subsection (7) of section 255.503, Florida Statutes, is amended to read:

255.503 Powers of the Department of Management Services.—The Department of Management Services shall have all the authority necessary to carry out and effectuate the purposes and provisions of this act, including, but not limited to, the authority to:

(7)*(a)* Sell, lease, release, or otherwise dispose of facilities in the pool in accordance with applicable law.

(b) No later than the date upon which the department recommends to the Division of State Lands of the Department of Environmental Protection the disposition of any facility within the Florida Facilities Pool, the department shall provide to the President of the Senate, the Speaker of the House of Representatives, the Executive Office of the Governor, and the Division of Bond Finance of the State Board of Administration an analysis that includes:

1. The cost benefit of the proposed facility disposition, including the facility's current operating expenses, condition, and market value, and viable alternatives for work space for impacted state employees.

2. The effect of the proposed facility disposition on the financial status of the Florida Facilities Pool, including the effect on rental rates and coverage requirement for the bonds.

This paragraph expires July 1, 2007.

Section 22. In order to implement Specific Appropriation 2096A of the 2006-2007 General Appropriations Act, subsection (4) is added to section 370.13, Florida Statutes, to read:

370.13 Stone crab; regulation.—

(4) For the 2006-2007 fiscal year only, the trap tag fees required by this section shall be waived by the commission. This subsection expires July 1, 2007.

Section 23. In order to implement Specific Appropriation 2096A of the 2006-2007 General Appropriations Act, subsection (7) is added to section 370.142, Florida Statutes, to read:

370.142 Spiny lobster trap certificate program.—

(7) For the 2006-2007 fiscal year only, the trap tag fees required by this section shall be waived by the commission. This subsection expires July 1, 2007.

Section 24. *Notwithstanding s. 403.7095, Florida Statutes, in order to implement Specific Appropriation 1868 of the 2006-2007 General Appropriations Act, the Department of Environmental Protection shall award:*

(1) $6,500,000 in grants equally to counties with populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.

(2) $1,599,500 to be used for Innovative Grants.

This section expires July 1, 2007.

Section 25. *In order to implement Specific Appropriation 1847 of the 2006-2007 General Appropriations Act, and for the 2006-2007 fiscal year only, the Department of Environmental Protection shall conduct a*

pilot program of the efficacy of expedited site evaluation and cleanup of existing public port and airport facility sites that have high redevelopment potential and that serve an immediate and demonstrated public purpose. The department shall conduct the pilot program at sites that will serve as prototypes to evaluate the need for funding in subsequent years.

(1) The pilot program sites selected must include:

(a) A port facility at which petroleum contamination is a potential threat to marine and estuarine waters and is hindering the tourism, trade, and economic development potential for the facility and the surrounding area; and

(b) An airport adjacent to marine or estuarine waters where redevelopment and expansion are likely to be hindered by petroleum contamination issues.

(2) The pilot program should focus on:

(a) Rapid assessment of the scope of the contamination issues;

(b) The effective use of existing site information;

(c) For larger, multiyear projects, the development of project phases, schedules, and budget estimates, including appropriate cost-sharing components with affected entities;

(d) Commitment of one-time funds for petroleum contamination assessment, free product removal, soil removal, and restoration that will render site conditions suitable for immediate redevelopment; and

(e) Preparation of an independent oversight report that evaluates the cost-effectiveness of this funding approach with emphasis on the timing of tax benefits that may accrue.

(3) The department is directed to implement this pilot program as soon as possible and report its progress to the Legislature by March 1, 2007.

(4) This section expires July 1, 2007.

Section 26. *In order to implement Specific Appropriation 1825 of the 2006-2007 General Appropriations Act, and for the 2006-2007 fiscal year only, there is hereby created the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council.*

(1) For purposes of this section, the hydrologic basins of the Caloosahatchee River and its estuary and the St. Lucie River and its estuary, including Lake Okeechobee, shall be known as the "Caloosahatchee-St. Lucie Rivers Corridor."

(2) The Caloosahatchee-St. Lucie Rivers Corridor Advisory Council is under the Department of Environmental Protection and shall consist of 17 members who shall be appointed as follows:

(a) The Governor shall appoint:

1. One consumer member.

2. One member with hydrologic experience within the Caloosahatchee-St. Lucie Rivers Corridor and expertise in engineering.

3. One member from the agriculture industry.

4. One member from an environmental group.

5. One member from the business or tourism community in Okeechobee County, Martin County, or Palm Beach County.

(b) The President of the Senate shall appoint:

1. One member representing local government in Lee County.

2. One member with hydrologic experience within the Caloosahatchee-St. Lucie Rivers Corridor and expertise in hydrology.

3. One member from the agriculture industry.

4. One member from an environmental group.

5. One member from the business or tourism community in Lee County or Charlotte County.

6. One member from the Senate.

(c) The Speaker of the House of Representatives shall appoint:

1. One member representing local government in Martin County.

2. One member with hydrologic experience within the Caloosahatchee-St. Lucie Rivers Corridor and expertise in biology.

3. One member from the agriculture industry.

4. One member from an environmental group.

5. One member from the business or tourism community in Hendry County or Glades County.

6. One member from the House of Representatives.

(d) The Governor shall appoint the chair of the advisory council from among its members.

(e) Appointments to the advisory council shall be made no later than 30 days after the effective date of this act.

(f) Each member of the advisory council may receive per diem and travel expenses as provided in s. 112.061, Florida Statutes, while carrying out the business of the advisory council.

(g) The first meeting of the advisory council shall be held no later than 60 days after the effective date of this act.

(h) The records and meetings of the advisory council are subject to the provisions of chapter 119 and s. 286.011, Florida Statutes.

(i) The advisory council shall be staffed by an executive director and other personnel selected and hired by the Department of Environmental Protection who shall be exempt from part II of chapter 110, Florida Statutes, relating to the Career Service System. The Department of Environmental Protection may employ staff and consultants as necessary to assist the advisory council in fulfilling its responsibilities. The South Florida Water Management District and the Department of Environmental Protection shall each appoint a liaison for the respective agency to work directly with the executive director of the advisory council and to provide expertise and assistance to the advisory council.

(3) The duties of the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council are to:

(a) Meet at least five times after August 1, 2006.

(b) Hold a minimum of five public hearings within the Caloosahatchee-St. Lucie Rivers Corridor for the purpose of receiving public comments and information.

(c) Review the operation and management of Lake Okeechobee and the associated discharges from the lake for the purpose of formulating specific recommendations relating to, but not limited to:

1. Scientifically viable, economically feasible projects, programs, and regulations that address or mitigate the impacts of high-level discharges from Lake Okeechobee upon the receiving waters of the Caloosahatchee River and the St. Lucie Canal and St. Lucie River and their respective estuaries.

2. Ongoing projects and plans authorized pursuant to the Lake Okeechobee Protection Program and the Comprehensive Everglades Restoration Plan under s. 373.4592, Florida Statutes.

3. Environmentally and economically feasible projects to remove accumulated sedimentation from Lake Okeechobee.

4. Alternative treatment strategies, projects, best management practices, and funding sources to manage more effectively the hydrology of the corridor to minimize adverse ecological effects upon the receiving waters from Lake Okeechobee discharge.

5. Long-term funding for implementation of the projects and programs identified in the report.

(4) The advisory council shall prepare and submit a report and recommendations to the President of the Senate and the Speaker of the House of Representatives prior to the 2007 Regular Session of the Legislature for implementation of projects and strategies to mitigate the present effects of high discharges from Lake Okeechobee upon the described basins.

(5) The advisory council shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007, a report with specific recommendations for implementation by the Legislature and the Governor that will mitigate ecological effects upon the Caloosahatchee-St. Lucie Rivers Corridor and stabilize the effect of high discharges from Lake Okeechobee upon the tourist economy of Southwest and Southeast Florida.

(6) The advisory council shall expire on April 1, 2007, and this section shall expire July 1, 2007.

Section 27. *In order to implement Specific Appropriations 1857A and 1616A of the 2006-2007 General Appropriations Act, there is hereby created the Retail Fuel Outlet Emergency Power Assistance Grant Program within the Department of Community Affairs to provide assistance to retail fuel outlets in retrofitting their facilities to accommodate portable generators in preparation for major power outages.*

(1) Any person who is the owner of a retail fuel outlet or outlets may apply for a matching grant for an amount of no more than 50 percent of the actual costs of installation of the wiring and transfer switch necessary to accept an emergency power generating source of sufficient size and power generation capacity for the retail fuel outlet or outlets to maintain the ability to safely dispense fuel to the public in the event of loss of commercial power.

(2) The matching grants of up to $5,000 per retail fuel outlet shall be made as reimbursements for actual costs after the installation is complete. In order to qualify for the matching grant, a completed application shall be made to the department. The department shall provide matching grants to each person on a first-come, first-served basis. The department shall provide application procedures and requirements for documentation of installation and prior payment.

This section expires July 1, 2007.

Section 28. In order to implement Specific Appropriations 1362-1546A of the 2006-2007 General Appropriations Act, section 502.015, Florida Statutes, is amended to read:

502.015 General Inspection Trust Fund.—

(1) Any moneys collected by the department pursuant to this chapter shall be deposited in the General Inspection Trust Fund and used solely for the programs in this chapter.

(2) For the 2006-2007 fiscal year only and notwithstanding any other provision of law to the contrary, in addition to the spending authorized in subsection (1), moneys in the General Inspection Trust Fund may be appropriated for programs operated by the department which are related to the programs authorized by this chapter. This subsection expires July 1, 2007.

Section 29. In order to implement Specific Appropriations 2788 and 2789 of the 2006-2007 General Appropriations Act, section 11.151, Florida Statutes, is amended to read:

11.151 Annual legislative appropriation to contingency fund for use of Senate President and House Speaker.—

(1) There is established a legislative contingency fund consisting of $10,000 for the President of the Senate and $10,000 for the Speaker of the House of Representatives, which amounts shall be set aside annually from moneys appropriated for legislative expense. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the President of the Senate or the Speaker of the House of Representatives. Such funds may be expended at the unrestricted discretion of the President of the Senate or the Speaker of the House of Representatives in carrying out their official duties during the entire period between the date of their election as such officers at the organizational meeting held pursuant to s. 3(a), Art. III of the State Constitution and the next general election.

(2) For the *2006-2007* ~~2005-2006~~ fiscal year only, the contingency fund amounts in subsection (1) are increased to $20,000. This subsection expires July 1, *2007* ~~2006~~.

Section 30. In order to implement Specific Appropriations 1695A and 1696A and section 31 of the 2006-2007 General Appropriations Act, subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)*(a)* Any moneys in the Land Acquisition Trust Fund which are not pledged for rentals or debt service as provided in subsection (2) may be expended from time to time to acquire land, water areas, and related resources and to construct, improve, enlarge, extend, operate, and maintain capital improvements and facilities in accordance with the plan.

(b) In addition to the uses allowed in paragraph (a), for the 2006-2007 fiscal year, moneys in the Land Acquisition Trust Fund are authorized for expenditure or transfer to the Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support the programs authorized in chapters 259 and 373. This paragraph expires July 1, 2007.

Section 31. In order to implement section 31 of the 2006-2007 General Appropriations Act, subsection (4) of section 259.032, Florida Statutes, is amended to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(4)*(a)* Lands acquired under this section shall be for use as state-designated parks, recreation areas, preserves, reserves, historic or archaeological sites, geologic or botanical sites, recreational trails, forests, wilderness areas, wildlife management areas, urban open space, or other state-designated recreation or conservation lands; or they shall qualify for such state designation and use if they are to be managed by other governmental agencies or nonstate entities as provided for in this section.

(b) In addition to the uses allowed in paragraph (a), moneys may be transferred from the Conservation and Recreation Lands Trust Fund to the Florida Forever Trust Fund or the Land Acquisition Trust Fund. This paragraph expires July 1, 2007.

Section 32. In order to implement section 31 of the 2006-2007 General Appropriations Act, subsection (12) is added to section 373.59, Florida Statutes, to read:

373.59 Water Management Lands Trust Fund.—

(12) In addition to the uses allowed in this section, moneys may be transferred from the Water Management Lands Trust Fund to the Florida Forever Trust Fund or the Land Acquisition Trust Fund. This subsection expires July 1, 2007.

Section 33. In order to implement Specific Appropriations 1820 and 1821 and section 32 of the 2006-2007 General Appropriations Act, subsection (6) is added to section 373.459, Florida Statutes, to read:

373.459 Funds for surface water improvement and management.—

(6)(a) The match requirement of subsection (2) shall not apply to the Suwannee River Water Management District, the Northwest Florida Water Management District, or a financially disadvantaged small local government as defined in s. 403.885(5).

(b) Notwithstanding the requirements of subsection (3), the Ecosystem Management and Restoration Trust Fund and the Water Protection and Sustainability Trust Fund shall be used for the deposit of funds appropriated by the Legislature for the purposes of ss. 373.451-373.4595. The department shall administer all funds appropriated to or received for surface water improvement and management activities. Expenditure of the moneys shall be limited to the costs of details planning and plan and program implementation for priority surface water bodies. Moneys from the funds shall not be expended for planning for, construction or expansion of, treatment facilities for domestic or industrial waste disposal.

(c) Notwithstanding the requirements of subsection (4), the department shall authorize the release of money from the funds in accordance with the provisions of s. 373.501(2) and procedures in s. 373.59(4) and (5).

(d) Notwithstanding the requirements of subsection (5), moneys in the Ecosystem Restoration and Management Trust Fund that are not needed to meet current obligations incurred under this section shall be transferred to the State Board of Administration, to the credit of the trust fund, to be invested in the manner provided by law. Interest received on such investments shall be credited to the trust fund.

(e) This subsection expires July 1, 2007.

Section 34. In order to implement Specific Appropriation 1821 of the 2006-2007 General Appropriations Act, subsection (7) is added to section 403.885, Florida Statutes, to read:

403.885 Stormwater management; wastewater management; and Water Restoration Grant Program.—

(7) Notwithstanding subsections (1), (3), (5), and (6):

(a) The department shall administer a grant program to use funds transferred pursuant to s. 212.20 to the Ecosystem Management and Restoration Trust Fund or other moneys as appropriated by the Legislature for stormwater management, wastewater management, water restoration, and other water projects as specifically appropriated by the Legislature. Eligible recipients of such grants include counties, municipalities, water management districts, and special districts that have legal responsibilities for water quality improvement, storm water management, wastewater management, lake and river water restoration projects, and drinking water projects pursuant to this section.

(b) All project applicants shall provide local matching funds as follows:

1. An applicant for state funding of a stormwater management or surfacewater management project shall provide local matching funds equal to at least 50 percent of the total cost of the project.

2. An applicant for state funding of a wastewater management project shall provide matching funds equal to at least 25 percent of the total cost of the project.

(c) The requirement in paragraph (b) for matching funds may be waived if the applicant is a financially disadvantaged small local government. For purposes of this subsection, the term "financially disadvantaged small local government" means a municipality having a population of 7,500 or less, a county having a population of 35,000 or less, according to the latest decennial census, and a per capita annual income less than the state per capita annual income as determined by the United States Department of Commerce, or a county in an area designated by the Governor as a rural area of critical economic concern pursuant to s. 288.0656.

(d) This subsection expires July 1, 2007.

Section 35. In order to implement Specific Appropriation 2688 of the 2006-2007 General Appropriations Act, paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

(b) The license plate annual use fees are to be annually distributed as follows:

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term "major sports events" means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men's and women's National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders' Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. For the *2006-2007* ~~2005-2006~~ fiscal year only and notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. This subparagraph expires July 1, *2007* ~~2006~~.

Section 36. In order to implement section 51 of the 2006-2007 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(13) Notwithstanding the provisions of this section, funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County are authorized to be deposited into the Highway Safety Operating Trust Fund to facilitate the exchange as provided in the General Appropriations Act, provided that at the conclusion of both exchanges the values are equalized. This subsection expires July 1, *2007* ~~2006~~.

Section 37. In order to implement proviso language following Specific Appropriation 2304 of the 2006-2007 General Appropriations Act, section 402.3017, Florida Statutes, is amended to read:

402.3017 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(1) The Legislature finds that the level of early child care teacher education and training is a key predictor for determining program quality. The Legislature also finds that low wages for child care workers prevent many from obtaining increased training and education and contribute to high turnover rates. The Legislature therefore intends to help fund a program which links teacher training and education to compensation and commitment to the field of early childhood education.

(2) The Department of Children and Family Services is authorized to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes.

(3) The department shall adopt rules as necessary to implement this section.

(4) For the *2006-2007* ~~2005-2006~~ fiscal year only, the Agency for Workforce Innovation *may* ~~shall~~ administer this section. This subsection expires July 1, *2007* ~~2006~~.

Section 38. In order to implement Specific Appropriations 1594, 1596, 1598, 1600, 1608, and 1609 of the 2006-2007 General Appropriations Act, subsection (5) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

(5)*(a)* A transfer of funds may not result in the initiation of a fixed capital outlay project that has not received a specific legislative appropriation, except that federal funds for fixed capital outlay projects for the Department of Military Affairs, which do not carry a continuing commitment on future appropriations by the Legislature, may be approved by the Executive Office of the Governor for the purpose received, subject to the notice, review, and objection procedures set forth in s. 216.177.

(b) Notwithstanding paragraph (a), and for the 2006-2007 fiscal year only, the Governor may recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Emergency Management Agency for FEMA Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, and EM3259-FL. All actions taken pursuant to the authority granted in this paragraph are subject to review and approval by the Legislative Budget Commission. This paragraph expires July 1, 2007.

Section 39. In order to implement Specific Appropriation 2132 of the 2006-2007 General Appropriations Act, subsection (3) is added to section 311.22, Florida Statutes, to read:

311.22 Additional authorization for funding certain dredging projects.—

(3) For the 2006-2007 fiscal year only and notwithstanding the matching basis specified in subsection (1), funding for projects in subsection (1) shall require a minimum 25 percent match of funds received pursuant to this section. This subsection expires July 1, 2007.

Section 40. In order to implement Specific Appropriation 2304 of the 2006-2007 General Appropriations Act, subsection (9) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(9) FUNDING; SCHOOL READINESS PROGRAM.—

(a) It is the intent of this section to establish an integrated and quality seamless service delivery system for all publicly funded early childhood education and child care programs operating in this state.

(b)1. The Agency for Workforce Innovation shall administer school readiness funds, plans, and policies and shall prepare and submit a unified budget request for the school readiness system in accordance with chapter 216.

2. All instructions to early learning coalitions for administering this section shall emanate from the Agency for Workforce Innovation in accordance with the policies of the Legislature.

(c) The Agency for Workforce Innovation shall *recommend* ~~adopt~~ a formula for the allocation among the early learning coalitions of all state and federal school readiness funds for children participating in public or private school readiness programs based upon equity and performance. The allocation formula must be submitted to the Governor*,* ~~and~~ the *chair of the Senate Ways and Means Committee or its successor, and the chair of the House of Representatives Fiscal Council or its successor no later than January 1 of each year. The Legislature shall specify in the annual General Appropriations Act any changes from the allocation methodology for the prior fiscal year which must be used by the Agency for Workforce Innovation in allocating the appropriations provided in the General Appropriations Act* ~~Legislative Budget Commission. Upon approval, the Legislative Budget Commission shall authorize the Agency for Workforce Innovation to distribute funds in accordance with the allocation formula. For fiscal year 2004-2005, the Agency for Workforce Innovation shall allocate funds to the early learning coalitions consistent with the fiscal year 2003-2004 funding allocations to the school readiness coalitions~~.

(d) All state, federal, and required local maintenance-of-effort or matching funds provided to an early learning coalition for purposes of this section shall be used by the coalition for implementation of its school readiness plan, including the hiring of staff to effectively operate the coalition's school readiness program. As part of plan approval and periodic plan review, the Agency for Workforce Innovation shall require that administrative costs be kept to the minimum necessary for efficient and effective administration of the school readiness plan, but total administrative expenditures must not exceed 5 percent unless specifically waived by the Agency for Workforce Innovation. The Agency for Workforce Innovation shall annually report to the Legislature any problems relating to administrative costs.

(e) The Agency for Workforce Innovation shall annually distribute, to a maximum extent practicable, all eligible funds provided under this section as block grants to the early learning coalitions.

(f) State funds appropriated for the school readiness program may not be used for the construction of new facilities or the purchase of buses. The Agency for Workforce Innovation shall present to the Legislature recommendations for providing necessary transportation services for school readiness programs.

(g) All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund each early learning coalition's school readiness program.

Section 41. *The amendment of s. 411.01, Florida Statutes, by this act shall expire July 1, 2007, and the text of that section shall revert to that in existence on June 30, 2006, 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 42. In order to implement Specific Appropriation 3225E of the 2006-2007 General Appropriations Act, paragraph (g) of subsection (11) of section 259.032, Florida Statutes, is amended to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(11)

(g) In addition to the purposes specified in paragraph (b), funds from the 1.5 percent of the cumulative total of funds ever deposited into the Florida Preservation 2000 Trust Fund and the Florida Forever Trust Fund may be appropriated for the *2006-2007* ~~2005-2006~~ fiscal year for the construction of replacement museum facilities. This paragraph expires July 1, *2007* ~~2006~~.

Section 43. In order to implement Specific Appropriation 1566 of the 2006-2007 General Appropriations Act, subsection (4) is added to section 252.373, Florida Statutes, to read:

252.373 Allocation of funds; rules.—

(4) In addition to the uses specified in this section, funds in the Emergency Management, Preparedness, and Assistance Trust Fund that are otherwise unobligated may be authorized for expenditure for the purpose of providing assistance to local governments for implementing local comprehensive plans, innovative planning to help make communities more livable, and addressing growth management issues. This subsection expires July 1, 2007.

Section 44. In order to implement Specific Appropriation 1658A of the 2006-2007 General Appropriations Act, subsection (15) is added to section 420.0004, Florida Statutes, to read:

420.0004 Definitions.—As used in this part, unless the context otherwise indicates:

(15) "Extremely-low-income persons" means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower-income counties, extremely low income may exceed 30 percent of the median income for the area, and that in higher-income counties, extremely low income may be less than 30 percent of the area median income. This subsection expires July 1, 2007.

Section 45. In order to implement Specific Appropriation 1658A of the 2006-2007 General Appropriations Act, paragraphs (h) and (i) are added to subsection (22) of section 420.507, Florida Statutes, to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(22) To develop and administer the State Apartment Incentive Loan Program. In developing and administering that program, the corporation may:

(h) Make loans exceeding 25 percent of project costs if the project serves extremely-low-income persons. This paragraph expires July 1, 2007.

(i) Waive payments or forgive indebtedness for a pro rata share of the loan based on the number of units in a project reserved for extremely-low-income persons. This paragraph expires July 1, 2007.

Section 46. In order to implement Specific Appropriation 1658A of the 2006-2007 General Appropriations Act, subsection (5) and paragraphs (c) and (k) of subsection (6) of section 420.5087, Florida Statutes, are amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(5)*(a)* The amount of the mortgage provided under this program combined with any other mortgage in a superior position shall be less than the value of the project without the housing set-aside required by subsection (2). However, the corporation may waive this requirement for projects in rural areas or urban infill areas which have market rate rents that are less than the allowable rents pursuant to applicable state and federal guidelines. In no event shall the mortgage provided under this program combined with any other mortgage in a superior position exceed total project cost.

(b) Notwithstanding paragraph (a), the amount of the mortgage provided under this program combined with any other mortgage in a superior position shall be less than the value of the project without the housing set-aside required by subsection (2). However, the corporation may waive this requirement for projects in rural areas or urban infill areas that have market rate rents that are less than the allowable rents pursuant to applicable state and federal guidelines and for projects that reserve units for extremely-low-income persons. A mortgage provided under this program may not be combined with any other mortgage in a superior position to exceed total project cost. This paragraph expires July 1, 2007.

(6) On all state apartment incentive loans, except loans made to housing communities for the elderly to provide for lifesafety, building preservation, health, sanitation, or security-related repairs or improvements, the following provisions shall apply:

(c) The corporation shall provide by rule for the establishment of a review committee composed of the department and corporation staff and shall establish by rule a scoring system for evaluation and competitive ranking of applications submitted in this program, including, but not limited to, the following criteria:

1. Tenant income and demographic targeting objectives of the corporation.

2. Targeting objectives of the corporation which will ensure an equitable distribution of loans between rural and urban areas.

3. Sponsor's agreement to reserve the units for persons or families who have incomes below 50 percent of the state or local median income, whichever is higher, for a time period to exceed the minimum required by federal law or the provisions of this part.

4. Sponsor's agreement to reserve more than:

a. Twenty percent of the units in the project for persons or families who have incomes that do not exceed 50 percent of the state or local median income, whichever is higher; or

b. Forty percent of the units in the project for persons or families who have incomes that do not exceed 60 percent of the state or local median income, whichever is higher, without requiring a greater amount of the loans as provided in this section.

5. Provision for tenant counseling.

6. Sponsor's agreement to accept rental assistance certificates or vouchers as payment for rent; however, when certificates or vouchers are accepted as payment for rent on units set aside pursuant to subsection (2), the benefit must be divided between the corporation and the sponsor, as provided by corporation rule.

7. Projects requiring the least amount of a state apartment incentive loan compared to overall project cost.

8. Local government contributions and local government comprehensive planning and activities that promote affordable housing.

9. Project feasibility.

10. Economic viability of the project.

11. Commitment of first mortgage financing.

12. Sponsor's prior experience.

13. Sponsor's ability to proceed with construction.

14. Projects that directly implement or assist welfare-to-work transitioning.

15. Notwithstanding subparagraph 7., projects requiring the least amount of a state apartment incentive loan compared to overall project cost except that the pro rata share of the loan attributable to the extremely-low-income units shall be excluded from this requirement. This subparagraph expires July 1, 2007.

16. Projects that reserve units for extremely-low-income families. This subparagraph expires July 1, 2007.

(k)*1.* Rent controls shall not be allowed on any project except as required in conjunction with the issuance of tax-exempt bonds or federal low-income housing tax credits.

2. Notwithstanding subparagraph 1., rent controls shall not be allowed on any project except as required in conjunction with the issuance of tax-exempt bonds or federal low-income housing tax credits, and except when the sponsor has committed to set aside units for extremely-low-income persons, in which case rents shall be restricted at the level applicable to federal low-income tax credits. This subparagraph expires July 1, 2007.

Section 47. In order to implement Specific Appropriation 1658A of the 2006-2007 General Appropriations Act, section 420.5095, Florida Statutes, is created to read:

420.5095 Community Workforce Housing Innovation Pilot Program created.—

(1) The Legislature finds and declares that recent rapid increases in the median purchase price of homes and the cost of rental housing have far outstripped the increases in median income in the state, preventing essential services personnel from living in the communities where they serve and thereby creating the need for innovative solutions for the provision of housing opportunities for essential services personnel.

(2) The Community Workforce Housing Innovation Pilot Program is created to provide affordable rental and home ownership community workforce housing for essential services personnel affected by the high cost of housing, using regulatory incentives and state and local funds to promote local public-private partnerships and leverage government and private resources.

(3) For purposes of this section, the following definitions apply:

(a) "Workforce housing" means housing affordable to natural persons or families whose total annual household income does not exceed 140 percent of the area median income, adjusted for household size, or 150 percent of area median income, adjusted for household size, in areas of critical state concern designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing, and areas that were designated as areas of critical state concern for at least 20 consecutive years prior to removal of the designation.

(b) "Essential services personnel" means persons in need of affordable housing who are employed in occupations or professions in which they are

considered essential services personnel, as defined by each county and eligible municipality within its respective local housing assistance plan. Each housing assistance plan shall include a definition of essential service personnel for the county or eligible municipality, including, but not limited to, teachers and educators; other school district, community college, and university employees; police and fire personnel; health care personnel; skilled building trades personnel; and other job categories.

(c) "Public-private partnership" means any form of business entity that includes substantial involvement of at least one county, one municipality, or one public sector entity, such as a school district or other unit of local government in which the project is to be located, and at least one private sector for-profit or not-for-profit business or charitable entity, and may be any form of business entity, including a joint venture or contractual agreement.

(4) The Florida Housing Finance Corporation is authorized to provide Community Workforce Housing Innovation Pilot Program loans to applicants for construction or rehabilitation of workforce housing in eligible areas. The corporation shall establish a funding process and selection criteria by rule or request for proposals. This funding is intended to be used with other public and private sector resources.

(5) The corporation shall provide incentives for local governments in eligible areas to use local affordable housing funds, such as those from the State Housing Initiatives Partnership Program, to assist in meeting the affordable housing needs of persons eligible under this program.

(6) Funding shall be targeted to projects in areas where the disparity between the area median income and the median sales price for a single-family home is greatest, and for projects in areas where population growth as a percentage rate of increase is greatest. The corporation may also fund projects in areas where innovative regulatory and financial incentives are made available. The corporation shall fund at least one eligible project in as many counties as possible.

(7) Projects shall receive priority consideration for funding where:

(a) The local jurisdiction adopts appropriate regulatory incentives, local contributions or financial strategies, or other funding sources to promote the development and ongoing financial viability of such projects. Local incentives include such actions as expediting review of development orders and permits, supporting development near transportation hubs and major employment centers, and adopting land development regulations designed to allow flexibility in densities, use of accessory units, mixed-use developments, and flexible lot configurations. Financial strategies include such actions as promoting employer-assisted housing programs, providing tax increment financing, and providing land.

(b) Projects are innovative and include new construction or rehabilitation, mixed-income housing, or commercial and housing mixed-use elements and those that promote homeownership. The program funding shall not exceed the costs attributable to the portion of the project that is set aside to provide housing for the targeted population.

(c) Projects that set aside at least 80 percent of units for workforce housing and at least 50 percent for essential services personnel and for projects that require the least amount of program funding compared to the overall housing costs for the project.

(8) Notwithstanding s. 163.3184(3)-(6), any local government comprehensive plan amendment to implement a Community Workforce Housing Innovation Pilot Program project found consistent with the provisions of this section shall be expedited as provided in this subsection. At least 30 days prior to adopting a plan amendment pursuant to this subsection, the local government shall notify the state land planning agency of its intent to adopt such an amendment, and the notice shall include its evaluation related to site suitability and availability of facilities and services. The public notice of the hearing required by s. 163.3184(15)(e) shall include a statement that the local government intends to utilize the expedited adoption process authorized by this subsection. Such amendments shall require only a single public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(7), and the state land planning agency shall issue its notice of intent pursuant to s. 163.3184(8) within 30 days after determining that the amendment package is complete.

(9) The corporation shall award loans with interest rates set at 1 to 3 percent, which may be made forgivable when long-term affordability is provided and when at least 80 percent of the units are set aside for workforce housing and at least 50 percent of the units are set aside for essential services personnel.

(10) All eligible applications shall:

(a) For home ownership, limit the sales price of a detached unit, townhome, or condominium unit to not more than 80 percent of the median sales price for that type of unit in that county, or the statewide median sales price for that type of unit, whichever is higher, and require that all eligible purchasers of home ownership units occupy the homes as their primary residence.

(b) For rental units, restrict rents for all workforce housing serving those with incomes at or below 120 percent of area median income at the appropriate income level using the restricted rents for the federal low-income housing tax credit program and, for workforce housing units serving those with incomes above 120 percent of area median income, restrict rents to those established by the corporation, not to exceed 30 percent of the maximum household income adjusted to unit size.

(c) Demonstrate that the applicant is a public-private partnership.

(d) Have grants, donations of land, or contributions from the public-private partnership or other sources collectively totaling at least 15 percent of the total development cost. Such grants, donations of land, or contributions must be evidenced by a letter of commitment only at the time of application. Grants, donations of land, or contributions in excess of 15 percent of the development cost shall increase the application score.

(e) Demonstrate how the applicant will use the regulatory incentives and financial strategies outlined in paragraph (7)(a) from the local jurisdiction in which the proposed project is to be located. The corporation may consult with the Department of Community Affairs in evaluating the use of regulatory incentives by applicants.

(f) Demonstrate that the applicant possesses title to or site control of land and evidences availability of required infrastructure.

(g) Demonstrate the applicant's affordable housing development and management experience.

(h) Provide any research or facts available supporting the demand and need for rental or home ownership workforce housing for eligible persons in the market in which the project is proposed.

(11) Projects may include manufactured housing constructed after June 1994 and installed in accordance with mobile home installation standards of the Department of Highway Safety and Motor Vehicles.

(12) The corporation may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

(13) The corporation may use a maximum of 2 percent of the annual appropriation for administration and compliance monitoring.

(14) The corporation shall review the success of the Community Workforce Housing Innovation Pilot Program to ascertain whether the projects financed by the program are useful in meeting the housing needs of eligible areas. The corporation shall submit its report and any recommendations regarding the program to the Governor, the Speaker of the House of Representatives, and the President of the Senate not later than 2 months after the end of the corporation's fiscal year.

(15) This section expires July 1, 2007.

Section 48. In order to implement Specific Appropriations 1631 and 1658A of the 2006-2007 General Appropriations Act, section 420.55, Florida Statutes, is created to read:

420.55 Housing; response to disasters.—

(1) The Florida Housing Finance Corporation is authorized to provide funds to eligible entities for affordable housing recovery in those areas of the state that sustained housing damage due to hurricanes during 2004 and 2005. The Florida Housing Finance Corporation shall use data provided by the Federal Emergency Management Agency to assist in its allocation of funds to local jurisdictions. To administer these programs, the Florida Housing Finance Corporation shall be guided by the

"Hurricane Housing Work Group Recommendations to Assist in Florida's Long-Term Housing Recovery Efforts" report dated February 16, 2005.

(2) The Florida Housing Finance Corporation may adopt emergency rules pursuant to s. 120.54 to administer these programs. The Legislature finds that emergency rules adopted under this section meet the health, safety, and welfare requirements of s. 120.54(4) and that such emergency rulemaking power is necessary for the preservation of the rights and welfare of the people to provide additional funds to assist in those counties that were declared eligible for disaster funding pursuant to the hurricanes of 2004 and 2005 and that sustained housing damage due to the storms. Therefore, in adopting the emergency rules, the corporation need not make the findings required by s. 120.54(4)(a). Emergency rules adopted under this section are exempt from s. 120.54(4)(c).

(3) This section expires July 1, 2007.

Section 49. *In order to implement specific appropriations for salaries and benefits in the 2006-2007 General Appropriations Act, notwithstanding the provisions of s. 110.1245(4), Florida Statutes, and for the 2006-2007 fiscal year only, agencies may additionally use funds for cash awards to state employees who demonstrate satisfactory service in the agency or to the state, in appreciation and recognition of such service. Awards may not exceed $100 to any employee and shall be allocated from an agency's existing budget. An employee may not receive awards pursuant to this section in excess of $100 total during the fiscal year. By March 1, 2007, agencies that elect to make cash awards shall report to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives the dollar value and number of such awards given. If available, any additional information concerning employee satisfaction and feedback should be provided. This section expires July 1, 2007.*

Section 50. *In order to implement Specific Appropriations 197, 213, 243, 474, and 2233A of the 2006-2007 General Appropriations Act, the following textual errors in that act are corrected:*

(1) The reference in the second paragraph of the proviso following Specific Appropriation 197 to "Specific Appropriation 196" is changed to "Specific Appropriation 197."

(2) The reference in the last paragraph of the proviso following Specific Appropriation 213 to "Specific Appropriation 190" is changed to "Specific Appropriation 213."

(3)(a) The reductions referred to in the fourth paragraph of the proviso following Specific Appropriation 243 are changed from $1,741,389 from the General Revenue Fund and $2,509,581 from the Medical Care Trust Fund to $1,780,038 from the General Revenue Fund and $2,564,649 from the Medical Care Trust Fund.

(b) The reductions referred to in the fifth paragraph of the proviso following Specific Appropriation 243 are changed from $1,160,926 from the General Revenue Fund and $1,673,054 from the Medical Care Trust Fund to $1,163,610 from the General Revenue Fund and $1,676,879 from the Medical Care Trust Fund.

(4) The phrase "$3,300,000 from nonrecurring general revenue funds" in the proviso immediately following Specific Appropriation 474 is changed to "$300,000 from recurring general revenue funds and $3,000,000 from nonrecurring general revenue funds."

(5) The second reference to "Orlando" in the last paragraph of the proviso following Specific Appropriation 2233A, immediately preceding the sum of "21,618,950," is changed to "Tampa."

(6) The reference in section 15 to "chapter 2004-269" is changed to "chapter 2004-268."

(7) The phrase "Doral Municipal Park Improvement City of Doral" in the proviso immediately following Specific Appropriation 1821 is changed to "Doral-Stormwater Drainage Improvements."

Section 51. *In order to implement the issuance of new debt authorized in the 2006-2007 General Appropriations Act, and pursuant to the requirements of s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2006-2007 fiscal year is in the best interest of the state and should be implemented.*

Section 52. *A section of this act that implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2006-2007 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 53. *If any other act passed in 2006 contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act shall take precedence and shall continue to operate, notwithstanding the future repeal provided by this act.*

Section 54. *The agency performance measures and standards in the document entitled "Performance Measures and Standards Approved by the Legislature for Fiscal Year 2006-2007" dated May 2, 2006, and filed with the Clerk of the House of Representatives are incorporated by reference. Such performance measures and standards are directly linked to the appropriations made in the General Appropriations Act for fiscal year 2006-2007, as required by the Government Performance and Accountability Act of 1994. State agencies are directed to revise their long-range program plans required under s. 216.013, Florida Statutes, to be consistent with these performance measures and standards.*

Section 55. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.*

Section 56. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2006; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act implementing the 2006-2007 General Appropriations Act; providing legislative intent; providing for use of specified calculations with respect to the Florida Education Finance Program; creating the Special Teachers Are Rewarded performance pay plan; suspending conflicting rules adopted by the State Board of Education; amending s. 287.057, F.S.; authorizing the Department of Children and Family Services to contract with a private provider for a sexually violent predator facility; amending s. 381.0402, F.S.; prohibiting the Department of Health from using the annual appropriation to administer and evaluate the area health education center network; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; providing for expenditure of funds from unallocated general revenue to offset deficiencies in due process services; authorizing the Department of Legal Affairs to expend appropriated funds on programs funded in the preceding fiscal year; increasing the maximum annual budget for the Clerk of the Circuit Court, Hillsborough County; amending s. 932.7055, F.S.; providing for the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; amending s. 627.311, F.S.; providing for the appointment of a board of governors to supervise the operation of a joint underwriting plan; providing requirements relating to the plan, the board, and the Florida Joint Underwriting Association; amending s. 282.318, F.S.; providing requirements for the Department of Management Services relating to the security of data and information technology resources; requiring the department to establish the Office of Information Security; providing responsibilities for the office; amending s. 255.249, F.S.; requiring that the Department of Management Services annually report to the Executive Office of the Governor and the Legislature certain information concerning leases that are due to expire and any amendments and supplements to and waivers of the terms and

conditions of lease agreements; requiring that specified clauses be included in the terms and conditions of a lease which may not be amended, supplemented, or waived; amending s. 255.25, F.S.; requiring that the department approve the terms of any lease by a state agency; requiring an analysis if the department approves an amendment or supplement to or waiver of a term or condition of a lease agreement; providing for approved leases to include an option to purchase or renew the lease; providing legislative intent with respect to the use of state-owned buildings; requiring that the department create a plan for fully using such buildings before leasing private buildings; requiring an annual report to the Legislature and the Governor; amending s. 255.503, F.S.; requiring that the department provide an analysis to the Legislature, the Governor, and the Division of Bond Finance of the State Board of Administration relating to the disposition of a facility within the Florida Facilities Pool; providing requirements for the analysis; amending s. 370.13, F.S.; providing for the waiver of certain stone crab trap tag fees; amending s. 370.142, F.S.; providing for the waiver of certain spiny lobster trap tag fees; directing the Department of Environmental Protection to make specified awards of grant moneys for pollution control purposes; directing the Department of Environmental Protection to conduct a pilot program for expedited site evaluation and cleanup of port and airport facilities for redevelopment and expansion; providing guidelines for such program; creating the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council; providing a definition; providing for appointment of members, per diem and travel expenses, staff, and duties of the advisory council; exempting staff from pt. II of ch. 110, F.S., relating to the Career Service System; requiring recommendations to the Legislature; requiring a report to the Legislature and Governor by a specific date; providing for expiration of the advisory council; creating the Retail Fuel Outlet Emergency Power Assistance Grant Program within the Department of Community Affairs; providing matching grants for owners of retail fuel outlets under specified circumstances; amending s. 502.015, F.S.; authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; amending s. 11.151, F.S.; increasing the contingency fund for the legislative presiding officers; amending s. 375.041, F.S.; authorizing expenditure or transfer of moneys from the Land Acquisition Trust Fund to the Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support specified programs; amending s. 259.032, F.S.; authorizing transfer of moneys from the Conservation and Recreation Lands Trust Fund to the Florida Forever Trust Fund or the Land Acquisition Trust Fund; amending s. 373.59, F.S.; authorizing transfer of moneys from the Water Management Lands Trust Fund to the Florida Forever Trust Fund or the Land Acquisition Trust Fund; amending s. 373.459, F.S.; providing for the use of funds by the Department of Environmental Protection for surface water improvement and management; amending s. 403.885, F.S.; adding match requirements for surfacewater management projects to match existing match requirements for stormwater management projects; amending s. 320.08058, F.S.; authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 253.034, F.S.; authorizing deposit of funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County; amending s. 402.3017, F.S.; authorizing the Agency for Workforce Innovation to administer the Teacher Education and Compensation Helps (TEACH) scholarship program; amending s. 216.292, F.S.; authorizing the Governor to recommend fixed capital outlay projects funded by Federal Emergency Management Agency grants; providing for review by the Legislative Budget Commission; amending s. 311.22, F.S.; prescribing the matching fund basis for dredging projects that meet specified conditions; amending s. 411.01, F.S.; requiring the Agency for Workforce Innovation to recommend a formula to allocate funds; providing for changes in the allocation of funds to be specified in the General Appropriations Act; eliminating approval of the allocation formula by the Legislative Budget Commission; eliminating an obsolete provision; amending s. 259.032, F.S.; providing for the appropriation of funds for the construction of replacement museum facilities; amending s. 252.373, F.S.; authorizing expenditure of certain funds in the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 420.0004, F.S.; providing a definition; amending s. 420.507, F.S.; revising powers of the Florida Housing Finance Corporation; amending s. 420.5087, F.S.; revising requirements relating to the State Apartment Incentive Loan Program; creating s. 420.5095, F.S.; creating the Community Workforce Housing Innovation Pilot Program; providing legislative findings; providing definitions; providing the Florida Housing Finance Corporation with certain powers and responsibilities relating to the program; requiring the program to target certain entities; providing application requirements; authorizing an applicant to use a nonprofit or public entity to manage its housing program; providing incentives for program applicants; providing rulemaking authority; requiring a report to the Governor and Legislature; creating s. 420.55, F.S.; authorizing the Florida Housing Finance Corporation to provide funds for affordable housing recovery under specified circumstances; authorizing the corporation to adopt emergency rules to administer specified disaster response programs; authorizing state agencies to make cash awards to state employees demonstrating satisfactory service to the agency or the state; providing limits on such awards; requiring a report with respect thereto; providing textual corrections in the General Appropriations Act; providing finding of best interest of the state for authorization and issuance of certain debt; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing for future repeal or expiration of various provisions; providing for reversion of certain provisions; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2006-2007 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing effective dates.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5003** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5005, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5005

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5005, same being:

> An act relating to education funding; allowing slot machine tax revenue to be made available for bond payments if necessary to comply with bond covenants; authorizing regional consortium service organizations to determine the use of funds; specifying the time period for distribution of funds; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (2) of section 551.106, Florida Statutes, is amended to read:

551.106 License fee; tax rate; penalties.—

(2) TAX ON SLOT MACHINE REVENUES.—

(c)*1.* Funds transferred to the Educational Enhancement Trust Fund under paragraph (b) shall be used to supplement public education funding statewide and shall not be used for recurring appropriations.

2. If necessary to comply with any covenant established pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3), funds transferred to the Educational Enhancement Trust Fund under paragraph (b) shall first be available to pay debt service on lottery bonds issued to fund school construction in the event lottery revenues are insufficient for such purpose or to satisfy debt service reserve requirements established in connection with lottery bonds. Moneys available pursuant to this subparagraph are subject to annual appropriation by the Legislature.

Section 2. Paragraph (a) of subsection (2) of section 1001.451, Florida Statutes, is amended to read:

1001.451 Regional consortium service organizations.—In order to provide a full range of programs to larger numbers of students, minimize duplication of services, and encourage the development of new programs and services:

(2)(a) Each regional consortium service organization that consists of four or more school districts is eligible to receive, through the Department of Education, an incentive grant of $50,000 per school district and eligible member to be used for the delivery of services within the participating school districts. *The determination of services and use of such funds shall be established by the board of directors of the regional consortium service organization. The funds shall be distributed to each regional consortium service organization no later than 30 days following the release of the funds to the department.*

Section 3. Paragraph (d) is added to subsection (3) of section 1002.71, Florida Statutes, to read:

1002.71 Funding; financial and attendance reporting.—

(3)

(d) For programs offered by school districts pursuant to s. 1002.61, each district's funding shall be based on a full-time equivalent student enrollment that is evenly divisible by 10. If the result of dividing a district's full-time equivalent student enrollment by 10 is not a whole number, the district's enrollment calculation shall be adjusted by adding the minimum number of full-time equivalent students to produce a full-time equivalent student enrollment calculation that is evenly divisible by 10.

Section 4. Subsection (2) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(2) A Florida Medallion Scholar is eligible for an award equal to the amount required to pay 75 percent of tuition and fees~~,~~ if the student is enrolled in a *state university or a baccalaureate degree program authorized pursuant to s. 1007.33. A Florida Medallion Scholar is eligible for an award equal to the amount required to pay 100 percent of tuition and fees for college credit courses leading to an associate degree if the student is enrolled in a community college* ~~public postsecondary education institution~~. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay 75 percent of the tuition and fees of a public postsecondary education institution at the comparable level.

Section 5. Section 1010.62, Florida Statutes, is created to read:

1010.62 Revenue bonds and debt.—

(1) As used in this section, the term:

(a) "Capital outlay project" means:

1. Any project to acquire, construct, improve, or change the functional use of land, buildings, and other facilities, including furniture and equipment necessary to operate a new or improved building or facility.

2. Any other acquisition of equipment or software.

(b) "Debt" means bonds, except revenue bonds as defined in paragraph (d), loans, promissory notes, lease-purchase agreements, certificates of participation, installment sales, leases, or any other financing mechanism or financial arrangement, whether or not a debt for legal purposes, for financing or refinancing for or on behalf of a state university or a direct-support organization or for the acquisition, construction, improvement, or purchase of capital outlay projects.

(c) "Direct-support organization" means an organization created pursuant to s. 1004.28 or any entity specifically established to incur debt.

(d) "Revenue bonds" means any obligation that constitutes a revenue bond pursuant to s. 11(d), Art. VII of the State Constitution.

(2)(a) The Board of Governors may request the issuance of revenue bonds pursuant to the State Bond Act and s. 11(d), Art. VII of the State Constitution to finance or refinance capital outlay projects permitted by law. Revenue bonds may be secured by or payable only from those revenues authorized for such purpose, including the Capital Improvement Trust Fund fee, the building fee, the health fee, the transportation access fee, hospital revenues, or those revenues derived from or received in relation to sales and services of auxiliary enterprises or component units of the university, including, but not limited to, housing, transportation, health care, research or research-related activities, food service, retail sales, athletic activities, or other similar services, other revenues attributable to the projects to be financed or refinanced, any other revenue approved by the Legislature for facilities construction or for securing revenue bonds issued pursuant to s. 11(d), Art. VII of the State Constitution, or any other revenues permitted by law. Revenues from the activity and service fee and the athletic fee may be used to pay and secure revenue bonds except that the annual debt service shall not exceed an amount equal to 5 percent of the fees collected during the most recent 12 consecutive months for which collection information is available prior to the sale of the bonds. The assets of a university foundation and the earnings thereon may also be used to pay and secure revenue bonds of the university or its direct-support organizations. Revenues from royalties and licensing fees may also be used to pay and secure revenue bonds so long as the facilities being financed are functionally related to the university operation or direct-support organization reporting such royalties and licensing fees. Revenue bonds may not be secured by or be payable from, directly or indirectly, tuition, the financial aid fee, sales and services of educational departments, revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys not required for the payment of direct costs, or any other operating revenues of a state university. Revenues from one auxiliary enterprise may not be used to secure revenue bonds of another unless the Board of Governors, after review and analysis, determines that the facilities being financed are functionally related to the auxiliary enterprise revenues being used to secure such revenue bonds.

(b) In connection with the issuance of revenue bonds, the Board of Governors, and the state university if so designated by the Board of Governors, shall comply with all covenants, commitments, or other provisions relating to the revenue bonds. Such covenants, commitments, or other provisions, in addition to those provided in the State Bond Act, may relate to:

1. Pledging the fees, charges, and other revenues that secure the revenue bonds;

2. Fixing and maintaining fees, rates, and other charges pledged to the payment of the revenue bonds;

3. Providing a lien on the revenues pledged;

4. Preventing or providing for the creation of other liens on the fees, charges, and other revenues that secure the revenue bonds;

5. Establishing and maintaining reserves for debt service payments on revenue bonds;

6. Providing for the operation, maintenance, and improvement of facilities that are related to the generation of the fees, revenues, and other charges pledged to the payment of the revenue bonds; and

7. Establishing any other covenants, commitments, or provisions that are deemed necessary or advisable to enhance the security of the revenue bonds, or the marketability thereof, and that are customary in accordance with the market requirements for the sale of such revenue bonds.

(c) Revenue bonds issued pursuant to this subsection are not required to be validated pursuant to chapter 75.

(3)(a) A state university or direct-support organization may not issue debt without the approval of the Board of Governors. The Board of Governors may approve the issuance of debt by a state university or a direct-support organization only when such debt is used to finance or refinance capital outlay projects. The debt may be secured by or payable only from those revenues authorized for such purpose, including the health fee, the transportation access fee, hospital revenues, or those revenues derived from or received in relation to sales and services of auxiliary enterprises or component units of the university, including, but not limited to, housing, transportation, health care, research or research-related activities, food service, retail sales, athletic activities, or other similar services. Revenues derived from the activity and service fee and the athletic fee may be used to pay and secure debt except that the annual debt service shall not exceed an amount equal to 5 percent of the fees collected during the most recent 12 consecutive months for which collection information is available prior to incurring the debt. The assets of university foundations and the earnings thereon may be used to pay and secure debt of the university or its direct-support organizations. Gifts and donations or pledges of gifts may also be used to secure debt so long as the maturity of the debt, including extensions, renewals, and refundings, does not exceed 5 years. Revenues from royalties and licensing fees may also be used to secure debt so long as the facilities being financed are functionally related to the university operation or direct-support organization reporting such royalties and licensing fees. The debt may not be secured by or be payable from, directly or indirectly, tuition, the financial aid fee, sales and services of educational departments, revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys not required for the payment of direct costs of grants, or any other operating revenues of a state university. The debt of direct-support organizations may not be secured by or be payable under an agreement or contract with a state university unless the source of payments under such agreement or contract is limited to revenues that universities are authorized to use for payment of debt service. Revenues from one auxiliary enterprise may not be used to secure debt of another unless the Board of Governors, after review and analysis, determines that the facilities being financed are functionally related to the auxiliary enterprise revenues being used to secure such debt. Debt may not be approved to finance or refinance operating expenses of a state university or a direct-support organization. The maturity of debt used to finance or refinance the acquisition of equipment or software, including any extensions, renewals, or refundings thereof, shall be limited to 5 years or the estimated useful life of the equipment or software, whichever is shorter. The Board of Governors may establish conditions and limitations on such debt as it determines to be advisable.

(b) Approval by the Board of Governors of the issuance of debt shall be based upon a determination that the debt:

1. Is for a purpose consistent with the mission of the state university;

2. Is structured in a manner appropriate for the prudent financial management of the state university;

3. Is secured by revenues adequate to provide for all payments relating to the debt;

4. Has been analyzed by the Division of Bond Finance and issues raised by such analysis have been appropriately considered by the Board of Governors; and

5. Is consistent with the requirements of any policies or criteria adopted by the Board of Governors for the approval of debt.

(c) Notwithstanding paragraphs (a) and (b), state universities and direct-support organizations may engage in the following activities without the approval of the Board of Governors:

1. State universities may lease-purchase equipment and software in accordance with the deferred-purchase provisions in chapter 287 and direct-support organizations may lease-purchase equipment and software to the extent that the overall term of the financing, including any extension, renewal, or refinancing thereof, does not exceed 5 years or the estimated useful life of the equipment or software, whichever is shorter;

2. Direct-support organizations may issue promissory notes and grant conventional mortgages for the acquisition of real property; and

3. State universities and direct-support organizations may secure debt with gifts and donations and pledges of gifts so long as the facilities being financed thereby have been included in the university's 5-year capital improvement plan that has been approved by the Board of Governors and the maturity of the debt, including any extension, renewal, or refunding, does not exceed 5 years.

(4) The approval by the Board of Governors of revenue bonds, except refunding bonds, or debt must be requested by a resolution of the board of trustees of each state university involved in the issuance of the revenue bonds or debt.

(5) Revenue bonds or debt issued under this section may be secured on a parity with prior revenue bonds or debt issued by or on behalf of one or more universities or a direct-support organization.

(6) Capital outlay projects to be financed by revenue bonds or debt are limited to those approved by the Legislature through approval of the specific project or general approval of the type or category of capital outlay project.

(7)(a) As required pursuant to s. 11(d), Art. VII of the State Constitution and subsection (6), the Legislature approves capital outlay projects meeting the following requirements:

1. The project is located on a campus of a state university or on land leased to the university or is used for activities relating to the state university;

2. The project is included in the master plan of the state university or is for facilities that are not required to be in a university's master plan;

3. The project is approved by the Board of Governors as being consistent with the strategic plan of the state university and the programs offered by the state university; and

4. The project is for purposes relating to the housing, transportation, health care, research or research-related activities, food service, retail sales, or student activities of the state university.

(b) Capital outlay projects for the acquisition of equipment or software are also approved for purposes of subsection (6) to the extent that the overall term of the financing, including any extension, renewal, or refinancing thereof, does not exceed 5 years or the estimated useful life of the equipment or software, whichever is shorter.

(8) Notwithstanding any other law, the Board of Governors, each state university, and any direct-support organization must comply with the provisions of this section in order to issue or enter into agreements for the issuance of revenue bonds or debt.

(9) The Board of Governors may adopt such policies as may be necessary or desirable for carrying out all of the requirements of this section and may do all things necessary or desirable to carry out the powers granted under this section. Such policies may include categories of debt, other than revenue bonds, which may be issued without approval of the specific issuance by the Board of Governors if the issuance complies with any terms, conditions, or requirements included in such policy and laws governing the imposition of fees and laws requiring specific authority to pledge revenues to secure debt.

(10) Any legal commitments, contracts, or other obligations relating to the financing of capital outlay projects that were lawfully entered into before the effective date of this section shall remain in full force and effect. Any such legal commitment, contract, or other obligation may be amended without compliance with this section, but only to the extent that such amendment does not increase the financial obligation of the Board of Governors, a state university, or a direct-support organization.

Section 6. Paragraphs (d) and (f) of subsection (1) and paragraphs (a) and (b) of subsection (4) of section 1011.62, Florida Statutes, are amended, paragraphs (o), (p), (q), and (r) of subsection (1) are redesignated as paragraphs (q), (r), (s), and (t), respectively, and new paragraphs (o) and (p) are added to that subsection, subsections (5), (6), and (7) are renumbered as subsections (6), (7), and (8), respectively, present subsections (8) and (9) are renumbered as subsections (9) and (10), respectively, and amended, and a new subsection (5) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(d) Annual allocation calculation.—

1. The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. 1001.42(4)(d), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.

3. As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of two program groups. Group 1 shall be composed of basic programs for grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs *support levels IV and V*, English for Speakers of Other Languages programs, and all career programs in grades *9-12* ~~7-12~~.

a. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

b.~~a.~~ The weighted enrollment ceiling for group 2 programs shall be calculated by multiplying the ~~final~~ enrollment ~~conference estimate~~ for each program by the appropriate program weight *as provided in the General Appropriations Act*. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Family Services and the Department of Juvenile Justice.

c.~~b.~~ If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:

(I) The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.

(II) If the difference calculated under sub-sub-subparagraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.

(III) The reduction proportion calculated under sub-sub-subparagraph (II) shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under sub-sub-subparagraph (I).

(IV) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be subtracted from the program's weighted enrollment *to produce a revised program weighted enrollment*. ~~For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.~~

(V) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be divided by the appropriate program weight and the result shall be added to the revised program weighted enrollment computed in sub-sub-subparagraph (IV).

~~c. For program group 2, the weighted enrollment ceiling shall be a number not less than the sum obtained by:~~

~~(I) Multiplying the sum of reported FTE for all programs in the program group that have a cost factor of 1.0 or more by 1.0, and~~

~~(II) By adding this number to the sum obtained by multiplying the projected FTE for all programs with a cost factor less than 1.0 by the actual cost factor.~~

~~4. Following completion of the weighted enrollment ceiling calculation as provided in subparagraph 3., a supplemental capping calculation shall be employed for those districts that are over their weighted enrollment ceiling. For each such district, the total reported unweighted FTE enrollment for group 2 programs shall be compared with the total appropriated unweighted FTE enrollment for group 2 programs. If the total reported unweighted FTE for group 2 is greater than the appropriated unweighted FTE, then the excess unweighted FTE up to the unweighted FTE transferred from group 2 to group 1 for each district by the Public School FTE Estimating Conference shall be funded at a weight of 1.0 and added to the funded weighted FTE computed in subparagraph 3.~~

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. Supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs *or in education programs for juveniles placed in secure facilities or programs under s. 985.223*. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(o) Calculation of additional full-time equivalent membership based on completion of high school level algebra courses by students in grades 6 through 8.—A value of 0.088 full-time equivalent student membership shall be calculated for each student in grades 6 through 8 who completes a high school level algebra course and receives a grade of C or better. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 6 through 8. Each district must allocate the funds provided to the district for students in grades 6 through 8 who complete a high school level algebra course and receive a grade of C or better to the school that generated the funds.

(p) Calculation of additional full-time equivalent membership for the Florida Virtual School.—The total reported full-time equivalent student membership for the Florida Virtual School shall be multiplied by 0.114 and such value shall be added to the total full-time equivalent student membership.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 95 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. As revised data are received from property appraisers, the Department of Revenue shall amend the certification of the estimate of the taxable value for school purposes. ~~The Commissioner of Education, in administering the provisions of subparagraph (9)(a)2., shall use the most recent taxable value for the appropriate year.~~

(b) Final calculation.—

1. *On September 1 of each year,* the Department of Revenue shall~~, upon receipt of the official final assessed value of property from each of the property appraisers,~~ certify to the Commissioner of Education the *total of the prior year final* taxable value ~~total~~ for school purposes in each school district *and the total for all school districts in the state*~~, subject to the provisions of paragraph (d)~~. The commissioner shall use the ~~official~~ final taxable value *certified on September 1* for school purposes for each school district in the final calculation of the annual Florida Education Finance Program allocations.

2. For ~~the~~ purposes of this paragraph, the ~~official~~ final taxable value for school purposes shall be the taxable value for school purposes on which the tax bills are computed and mailed to the taxpayers, adjusted to reflect final administrative actions of value adjustment boards and judicial decisions pursuant to ~~part I of~~ chapter 194. ~~By September 1 of each year, the Department of Revenue shall certify to the commissioner the official prior year final taxable value for school purposes.~~ For each county that has not submitted a revised tax roll reflecting final value adjustment board actions and final judicial decisions, the Department of Revenue shall certify the most recent revision of the ~~official~~ taxable value for school purposes. The ~~certified~~ value *certified on September 1* shall be the final taxable value for school purposes *for that year*, and no further adjustments shall be made, except those made pursuant to *paragraph (10)(b)* ~~subparagraph (9)(a)2~~.

(5) DISCRETIONARY MILLAGE COMPRESSION SUPPLEMENT.—The Legislature shall prescribe in the General Appropriations Act, pursuant to s. 1011.71(1), the rate of nonvoted current operating discretionary millage that shall be used to calculate a discretionary millage compression supplement. If the prescribed millage generates an amount of funds per unweighted FTE for the district that is less than the state average, the district shall receive an amount per FTE that, when added to the funds per FTE generated by the designated levy, shall equal the state average. To be eligible for the supplement, a district must levy the maximum authorized millage pursuant to s. 1011.71.

(9)~~(8)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to

each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(10)* ~~(9)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(10)* ~~(9)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(10)~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) The basic amount for current operation for the FEFP as determined in subsection (1), multiplied by the district cost differential factor as determined in subsection (2), plus the amounts provided for categorical components within the FEFP, plus *the discretionary millage compression supplement as determined in subsection (5),* the amount for the sparsity supplement as determined in subsection *(7)* ~~(6)~~, the decline in full-time equivalent students as determined in subsection *(8)* ~~(7)~~, and the quality assurance guarantee as determined in subsection *(9)* ~~(8)~~, less the required local effort as determined in subsection (4). If the funds appropriated for the purpose of funding the total amount for current operation as provided in this paragraph are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change *required by final judicial decision*, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

(c) The amount thus obtained shall represent the net annual state allocation to each district; however, notwithstanding any of the provisions herein, each district shall be guaranteed a minimum level of funding in the amount and manner prescribed in the General Appropriations Act.

Section 7. Subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62*(10)*~~(9)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy. ~~The millage rate prescribed shall exceed zero mills but shall not exceed the lesser of 1.6 mills or 25 percent of the millage which is required pursuant to s. 1011.62(4), exclusive of millage levied pursuant to subsection (2).~~

Section 8. Subsections (1) and (7) of section 1013.62, Florida Statutes, are amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools. To be eligible for a funding allocation, a charter school must:

(a)1. Have been in operation for 3 or more years;

2. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds; or

3. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools.

(b) Have financial stability for future operation as a charter school.

(c) Have satisfactory student achievement based on state accountability standards applicable to the charter school.

(d) Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

(e) Serve students in facilities that are not provided by the charter school's sponsor.

The first priority for charter school capital outlay funding shall be to allocate to the charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student up to the lesser of the actual number of capital outlay full-time equivalent students in the current year or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority shall be to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth in excess of the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation shall be allocated to all eligible charter schools. A charter school's allocation shall not exceed one-fifteenth of the cost per student station specified in s. 1013.64(6)(b). Prior to the release of capital outlay funds to a school district on behalf of the charter school, the Department of Education shall ensure that the district school board and the charter school governing board enter into a written agreement that includes provisions for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3), in the event that the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund. A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee or at no charge or if it is directly or indirectly operated by the school district. Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school shall be determined by multiplying the school's projected student enrollment by one-fifteenth of the cost-per-student station specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as

appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, no charter school or charter lab school shall receive state charter school capital outlay funds in excess of the one-fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the one-fifteenth cost per student station formula. Funds shall be distributed on the basis of the capital outlay full-time equivalent membership by grade level, which shall be calculated by averaging the results of the second and third enrollment surveys. The Department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools.

~~(7) Notwithstanding the provisions of this section, beginning in the 2003-2004 fiscal year:~~

~~(a) If the appropriation for charter school capital outlay funds is no greater than the 2002-2003 appropriation, the funds shall be allocated according to the formula outlined in subsection (1) to:~~

~~1. The same schools that received funding in 2002-2003.~~

~~2. Schools that are an expanded feeder pattern of schools that received funding in 2002-2003.~~

~~3. Schools that have an approved charter and are serving students at the start of the 2003-2004 school year and either incurred long-term financial obligations prior to January 31, 2003, or began construction on educational facilities prior to December 31, 2002.~~

~~(b) If the appropriation for charter school capital outlay funds is less than the 2002-2003 appropriation, the funds shall be prorated among the schools eligible in paragraph (a).~~

~~(c) If the appropriation for charter school capital outlay funds is greater than the 2002-2003 appropriation, the amount of funds provided in the 2002-2003 appropriation shall be allocated according to paragraph (a). First priority for allocating the amount in excess of the 2002-2003 appropriation shall be to prorate the excess funds among the charter schools with long-term debt or long-term lease to the extent that the initial allocation is insufficient to provide one-fifteenth of the cost per student station specified in s. 1013.64(6)(b), and second priority shall be to other eligible charter schools.~~

Section 9. Paragraph (b) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(b)1. A district school board, including a district school board of an academic performance-based charter school district, must not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; effort index grant funds provided in s. 1013.73; nonvoted 2-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids ~~Infrastructure~~ Program funds provided in s. 1013.735; ~~or~~ District Effort Recognition Program funds provided in s. 1013.736*; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738* for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

a. *$17,952* ~~$12,755~~ for an elementary school,

b. *$19,386* ~~$14,624~~ for a middle school, or

c. *$25,181* ~~$19,352~~ for a high school,

(January *2006* ~~2002~~) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

Section 10. Paragraph (a) of subsection (1) of section 110.1228, Florida Statutes, is amended to read:

110.1228 Participation by small counties, small municipalities, and district school boards located in small counties.—

(1) As used in this section, the term:

(a) "District school board" means a district school board located in a small county or a district school board that receives funding pursuant to s. 1011.62*(7)*~~(6)~~.

Section 11. Subsection (7) of section 402.22, Florida Statutes, is amended to read:

402.22 Education program for students who reside in residential care facilities operated by the Department of Children and Family Services.—

(7) Notwithstanding the provisions of s. 1001.42(4)(n), the educational program at the Marianna Sunland Center in Jackson County shall be operated by the Department of Education, either directly or through grants or contractual agreements with other public educational agencies. The annual state allocation to any such agency shall be computed pursuant to s. 1011.62(1), (2), and *(6)* ~~(5)~~ and allocated in the amount that would have been provided the local school district in which the residential facility is located.

Section 12. Paragraph (a) of subsection (6) of section 1004.75, Florida Statutes, is amended to read:

1004.75 Training school consolidation pilot projects.—

(6) FUNDING.—The Department of Education shall shift funds generated by students in the pilot training centers established by this section, including workforce development recurring and nonrecurring funds, from the appropriate school district to the respective community college. The community college shall qualify for future facilities funding upon transfer of the facility.

(a) Consistent with s. 1011.62*(8)*~~(7)~~, school districts that transfer programs will receive an amount equal to 15 percent of the funding generated for the program under the FEFP in 1996-1997.

Section 13. Paragraph (a) of subsection (2) and paragraph (b) of subsection (3) of section 1010.20, Florida Statutes, are amended to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62*(6)*~~(5)~~.

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

(b) Funds for inservice training established in s. 1011.62(3) and for categorical programs established in s. 1011.62*(6)*~~(5)~~ shall be expended for the costs of the identified programs as provided by law and in accordance with the rules of the State Board of Education.

Section 14. Section 1012.44, Florida Statutes, is amended to read:

1012.44 Qualifications for certain persons providing speech-language services.—The State Board of Education shall adopt rules for

speech-language services to school districts that qualify for the sparsity supplement as described in s. 1011.62*(7)*~~(6)~~. These services may be provided by baccalaureate degree level persons for a period of 3 years. The rules shall authorize the delivery of speech-language services by baccalaureate degree level persons under the direction of a certified speech-language pathologist with a master's degree or higher. By October 1, 2003, these rules shall be reviewed by the State Board of Education.

Section 15. *Sections 1010.60, 1010.61, 1010.611, 1010.612, 1010.613, 1010.614, 1010.615, 1010.616, 1010.617, 1010.618, 1010.619, and 1012.74, Florida Statutes, are repealed.*

Section 16. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to education funding; amending s. 551.106, F.S.; allowing slot machine tax revenue to be made available for bond payments if necessary to comply with bond covenants; amending s. 1001.451, F.S.; authorizing regional consortium service organizations to determine the use of funds; specifying the time period for distribution of funds; amending s. 1002.71, F.S.; authorizing additional full-time equivalent student membership for summer voluntary prekindergarten education programs at public schools; amending s. 1009.535, F.S.; increasing the award for Florida Medallion Scholars enrolled in community college associate degree programs; creating s. 1010.62, F.S., relating to revenue bonds and debt; providing definitions; authorizing the Board of Governors to request the issuance of revenue bonds for certain purposes; providing for such bonds to be secured by or payable from certain specified revenues; authorizing certain covenants, commitments, or other provisions; providing for the issuance of debt by a state university or direct-support organization upon the approval of the Board of Governors; providing requirements for such approval; authorizing state universities and direct-support organizations to lease-purchase equipment, issue promissory notes, and secure debt with gifts and donations under certain circumstances without approval of the Board of Governors; providing requirements for a board of trustees in obtaining approval for revenue bonds and capital outlay projects; providing for the approval of certain specified projects; authorizing the Board of Governors to adopt policies; providing for the continued effect of current commitments, contracts, or other obligations; amending s. 1011.62, F.S.; revising provisions relating to the funding computation of special programs; revising provisions relating to funding for instruction beyond the regular school year; authorizing additional full-time equivalent student membership for completion of high school level algebra courses by certain students in grades 6 through 8; authorizing additional full-time equivalent student membership for the Florida Virtual School; revising provisions relating to the prior year final taxable value; establishing the discretionary millage compression supplement and providing for the allocation of funds; conforming provisions and correcting cross-references; amending s. 1011.71, F.S.; revising provisions relating to the discretionary millage levy prescribed by the Legislature; amending s. 1013.62, F.S.; revising charter school capital outlay allocation of funds; amending s. 1013.64, F.S.; revising construction cost maximums for school district capital outlay projects; revising programs the funds of which must meet the construction cost maximums; amending ss. 110.1228, 402.22, 1004.75, 1010.20, and 1012.44, F.S.; correcting cross-references; repealing s. 1010.60, F.S., relating to State Board of Education issuance of bonds; repealing s. 1010.61, F.S., relating to State Board of Education powers for issuance of bonds; repealing s. 1010.611, F.S., relating to resolution for issuance of revenue certificates; repealing s. 1010.612, F.S., relating to powers to secure revenue certificates; repealing s. 1010.613, F.S., relating to remedies of any holder of revenue certificates; repealing s. 1010.614, F.S., relating to validity of revenue certificates; repealing s. 1010.615, F.S., relating to prohibitions against obligating the state; repealing s. 1010.616, F.S., relating to revenue certificate obligations of the State Board of Education; repealing s. 1010.617, F.S., relating to tax exemption and eligibility as legal investments; repealing s. 1010.618, F.S., relating to the supplemental nature of provisions relating to bonding; repealing s. 1010.619, F.S., relating to the Board of Administration acting as fiscal agent; repealing s. 1012.74, F.S., relating to Florida educators professional liability insurance protection; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5005** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5007, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5007

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5007, same being:

An act relating to health care funding; requiring the Department of Health to contract with a third-party administrator for certain services necessary to the operation of the Children's Medical Services network; authorizing the department to maintain a specified minimum reserve for the network; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton	*s/JD Alexander*
Vice Chair	*s/Dave Aronberg*
s/Nancy Argenziano	*s/Carey Baker*
s/Michael S. "Mike" Bennett	Larcenia J. Bullard
s/Charlie Clary	*s/Lee Constantine*
s/Victor D. Crist	M. Mandy Dawson
s/Paula Dockery	*s/Mike Fasano*
s/Rudy Garcia	*s/Anthony C. "Tony" Hill, Sr.*
s/Dennis L. Jones	*s/James E. "Jim" King, Jr.*
Ron Klein	*s/Alfred "Al" Lawson, Jr.*
Evelyn J. Lynn	*s/Gwen Margolis*
s/Lesley "Les" Miller, Jr.	*s/Durell Peaden, Jr.*
s/Ken Pruitt	Nan Rich
s/Burt L. Saunders	*s/Jim Sebesta*
s/Gary Siplin	*s/Rod Smith*
s/J. Alex Villalobos	*s/Daniel Webster*
s/Frederica S. Wilson	*s/Stephen R. Wise*

Managers on the part of the Senate

s/Joe Negron	*s/Sandra "Sandy" Adams*
Chair	*s/Thad Altman*

s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (16) of section 391.026, Florida Statutes, is amended to read:

391.026 Powers and duties of the department.—The department shall have the following powers, duties, and responsibilities:

(16) To receive and manage health care premiums, capitation payments, and funds from federal, state, local, and private entities for the program. *The department may contract with a third-party administrator for processing claims, monitoring medical expenses, and other related services necessary to the efficient and cost-effective operation of the Children's Medical Services network. The department is authorized to maintain a minimum reserve for the Children's Medical Services network in an amount that is the greater of:*

(a) Ten percent of total projected expenditures for Title XIX-funded and Title XXI-funded children; or

(b) Two percent of total annualized payments from the Agency for Health Care Administration for Title XIX and Title XXI of the Social Security Act.

Section 2. Paragraph (e) of subsection (15) of section 400.141, Florida Statutes, is amended to read:

400.141 Administration and management of nursing home facilities.—Every licensed facility shall comply with all applicable standards and rules of the agency and shall:

(15) Submit semiannually to the agency, or more frequently if requested by the agency, information regarding facility staff-to-resident ratios, staff turnover, and staff stability, including information regarding certified nursing assistants, licensed nurses, the director of nursing, and the facility administrator. For purposes of this reporting:

(e) A nursing facility which does not have a conditional license may be cited for failure to comply with the standards in s. 400.23(3)(a)*1.a.* only if it has failed to meet those standards on 2 consecutive days or if it has failed to meet at least 97 percent of those standards on any one day.

Nothing in this section shall limit the agency's ability to impose a deficiency or take other actions if a facility does not have enough staff to meet the residents' needs.

Facilities that have been awarded a Gold Seal under the program established in s. 400.235 may develop a plan to provide certified nursing assistant training as prescribed by federal regulations and state rules and may apply to the agency for approval of their program.

Section 3. Paragraph (d) of subsection (5) of section 400.179, Florida Statutes, is amended to read:

400.179 Sale or transfer of ownership of a nursing facility; liability for Medicaid underpayments and overpayments.—

(5) Because any transfer of a nursing facility may expose the fact that Medicaid may have underpaid or overpaid the transferor, and because in most instances, any such underpayment or overpayment can only be determined following a formal field audit, the liabilities for any such underpayments or overpayments shall be as follows:

(d) Where the transfer involves a facility that has been leased by the transferor:

1. The transferee shall, as a condition to being issued a license by the agency, acquire, maintain, and provide proof to the agency of a bond with a term of 30 months, renewable annually, in an amount not less than the total of 3 *months'* ~~months~~ Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility.

2. A leasehold licensee may meet the requirements of subparagraph 1. by payment of a nonrefundable fee, paid at initial licensure, paid at the time of any subsequent change of ownership, and paid at the time of any subsequent annual license renewal, in the amount of *1* ~~2~~ percent of the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility. If a preceding 12-month average is not available, projected Medicaid payments may be used. The fee shall be deposited into the Health Care Trust Fund and shall be accounted for separately as a Medicaid nursing home overpayment account. These fees shall be used at the sole discretion of the agency to repay nursing home Medicaid overpayments. Payment of this fee shall not release the licensee from any liability for any Medicaid overpayments, nor shall payment bar the agency from seeking to recoup overpayments from the licensee and any other liable party. As a condition of exercising this lease bond alternative, licensees paying this fee must maintain an existing lease bond through the end of the 30-month term period of that bond. The agency is herein granted specific authority to promulgate all rules pertaining to the administration and management of this account, including withdrawals from the account, subject to federal review and approval. This provision shall take effect upon becoming law and shall apply to any leasehold license application. The financial viability of the Medicaid nursing home overpayment account shall be determined by the agency through annual review of the account balance and the amount of total outstanding, unpaid Medicaid overpayments owing from leasehold licensees to the agency as determined by final agency audits.

3. The leasehold licensee may meet the bond requirement through other arrangements acceptable to the agency. The agency is herein granted specific authority to promulgate rules pertaining to lease bond arrangements.

4. All existing nursing facility licensees, operating the facility as a leasehold, shall acquire, maintain, and provide proof to the agency of the 30-month bond required in subparagraph 1., above, on and after July 1, 1993, for each license renewal.

5. It shall be the responsibility of all nursing facility operators, operating the facility as a leasehold, to renew the 30-month bond and to provide proof of such renewal to the agency annually at the time of application for license renewal.

6. Any failure of the nursing facility operator to acquire, maintain, renew annually, or provide proof to the agency shall be grounds for the agency to deny, cancel, revoke, or suspend the facility license to operate such facility and to take any further action, including, but not limited to, enjoining the facility, asserting a moratorium, or applying for a receiver, deemed necessary to ensure compliance with this section and to safeguard and protect the health, safety, and welfare of the facility's residents. A lease agreement required as a condition of bond financing or refinancing under s. 154.213 by a health facilities authority or required under s. 159.30 by a county or municipality is not a leasehold for purposes of this paragraph and is not subject to the bond requirement of this paragraph.

Section 4. Paragraph (a) of subsection (3) of section 400.23, Florida Statutes, is amended to read:

400.23 Rules; evaluation and deficiencies; licensure status.—

(3)(a)*1.* The agency shall adopt rules providing minimum staffing requirements for nursing homes. These requirements shall include, for each nursing home facility:~~,~~

a. A minimum certified nursing assistant staffing of ~~2.3 hours of direct care per resident per day beginning January 1, 2002, increasing to~~ 2.6 hours of direct care per resident per day beginning January 1, 2003, and increasing to *2.7* ~~2.9~~ hours of direct care per resident per day beginning *January 1, 2007* ~~July 1, 2006~~. Beginning January 1, 2002, no facility shall staff below one certified nursing assistant per 20 residents, and a minimum licensed nursing staffing of 1.0 hour of direct ~~resident~~ care per resident per day but never below one licensed nurse per 40 residents.

b. Beginning January 1, 2007, a minimum weekly average certified nursing assistant staffing of 2.9 hours of direct care per resident per day. For the purpose of this sub-subparagraph, a week is defined as Sunday through Saturday.

2. Nursing assistants employed under s. 400.211(2) may be included in computing the staffing ratio for certified nursing assistants only if *their job responsibilities include only nursing-assistant-related duties* ~~they provide nursing assistance services to residents on a full-time basis~~.

3. Each nursing home must document compliance with staffing standards as required under this paragraph and post daily the names of staff on duty for the benefit of facility residents and the public.

4. The agency shall recognize the use of licensed nurses for compliance with minimum staffing requirements for certified nursing assistants, provided that the facility otherwise meets the minimum staffing requirements for licensed nurses and that the licensed nurses are performing the duties of a certified nursing assistant. Unless otherwise approved by the agency, licensed nurses counted toward the minimum staffing requirements for certified nursing assistants must exclusively perform the duties of a certified nursing assistant for the entire shift and not also be counted toward the minimum staffing requirements for licensed nurses. If the agency approved a facility's request to use a licensed nurse to perform both licensed nursing and certified nursing assistant duties, the facility must allocate the amount of staff time specifically spent on certified nursing assistant duties for the purpose of documenting compliance with minimum staffing requirements for certified and licensed nursing staff. In no event may the hours of a licensed nurse with dual job responsibilities be counted twice.

Section 5. Subsections (12) through (27) of section 409.811, Florida Statutes, are renumbered as subsections (11) through (26), respectively, and present subsection (11) of that section is amended to read:

409.811 Definitions relating to Florida KidCare Act.—As used in ss. 409.810-409.820, the term:

~~(11) "Enrollment ceiling" means the maximum number of children receiving premium assistance payments, excluding children enrolled in Medicaid, that may be enrolled at any time in the Florida KidCare program. The maximum number shall be established annually in the General Appropriations Act or by general law.~~

Section 6. Subsections (1) and (2) of section 409.8134, Florida Statutes, are amended to read:

409.8134 Program ~~enrollment and~~ expenditure *ceiling* ~~ceilings~~.—

(1) Except for the Medicaid program, a ceiling shall be placed on annual federal and state expenditures *for* ~~and on enrollment in~~ the Florida KidCare program as provided each year in the General Appropriations Act.

(2) The Florida KidCare program may conduct enrollment at any time throughout the year for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida KidCare administrators shall work together to ensure that the year-round enrollment period is announced statewide. Eligible children shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the *expenditure* ~~enrollment~~ ceiling is reached. Year-round enrollment shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment through federal fiscal year 2007. Any individual who is not enrolled must reapply by submitting a new application. The application for the Florida KidCare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may resubmit the application after notification of the action taken by the program. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida KidCare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.

Section 7. Paragraph (d) of subsection (5) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida KidCare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida KidCare program component.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Florida KidCare program, excluding the Medicaid program, but is subject to the following provisions:

~~(d) Children described in this subsection are not counted in the annual enrollment ceiling for the Florida KidCare program.~~

Section 8. Paragraphs (c) through (g) of subsection (3) of section 409.818, Florida Statutes, are redesignated as paragraphs (b) through (f), respectively, and present paragraphs (b) and (g) of subsection (3) of that section are amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.820, the following agencies shall have the following duties:

(3) The Agency for Health Care Administration, under the authority granted in s. 409.914(1), shall:

~~(b) Annually calculate the program enrollment ceiling based on estimated per child premium assistance payments and the estimated appropriation available for the program.~~

(f)~~(g)~~ Adopt rules necessary for calculating premium assistance payment levels, ~~calculating the program enrollment ceiling,~~ making premium assistance payments, monitoring access and quality assurance standards, investigating and resolving complaints and grievances, administering the Medikids program, and approving health benefits coverage.

The agency is designated the lead state agency for Title XXI of the Social Security Act for purposes of receipt of federal funds, for reporting purposes, and for ensuring compliance with federal and state regulations and rules.

Section 9. Subsection (5) of section 409.904, Florida Statutes, is amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(5) Subject to specific federal authorization, a ~~postpartum~~ woman living in a family that has an income that is at or below 185 percent of the most current federal poverty level is eligible for family planning services as specified in s. 409.905(3) for a period of up to 24 months following a *loss of Medicaid benefits* ~~pregnancy for which Medicaid paid for pregnancy-related services~~.

Section 10. Paragraph (d) of subsection (5) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act.

(d) The agency shall implement a hospitalist program in *nonteaching* ~~certain high-volume participating~~ hospitals, select counties, or statewide. The program shall require hospitalists to ~~authorize and~~ manage Medicaid recipients' hospital admissions and lengths of stay. Individuals who are dually eligible for Medicare and Medicaid are exempted from this requirement. Medicaid participating physicians and other practitioners with hospital admitting privileges shall coordinate and review admissions of Medicaid recipients with the hospitalist. The agency may competitively bid a contract for selection of a *single* qualified organization to provide hospitalist services. *The agency may procure hospitalist services by individual county or may combine counties in a single procurement.* The qualified organization shall *contract with or* employ *board-eligible* ~~board-certified~~ physicians *in Miami-Dade, Palm Beach, Hillsborough, Pasco, and Pinellas Counties* ~~who are full-time dedicated employees of the contractor and have no outside practice~~. ~~Where used, the hospitalist program shall replace the existing hospital utilization review program.~~ The agency is authorized to seek federal waivers to implement this program.

Section 11. Paragraph (b) of subsection (1) and subsections (12) and (23) of section 409.906, Florida Statutes, are amended to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(1) ADULT DENTAL SERVICES.—

(b) Beginning *July 1, 2006* ~~January 1, 2005~~, the agency may pay for *full or partial* dentures, the procedures required to seat *full or partial* dentures, and the repair and reline of *full or partial* dentures, provided by or under the direction of a licensed dentist, for a recipient who is 21 years of age or older.

(12) ~~CHILDREN'S~~ HEARING SERVICES.—The agency may pay for hearing and related services, including hearing evaluations, hearing aid devices, dispensing of the hearing aid, and related repairs, if provided to a recipient ~~younger than 21 years of age~~ by a licensed hearing aid specialist, otolaryngologist, otologist, audiologist, or physician.

(23) ~~CHILDREN'S~~ VISUAL SERVICES.—The agency may pay for visual examinations, eyeglasses, and eyeglass repairs for a recipient ~~younger than 21 years of age,~~ if they are prescribed by a licensed physician specializing in diseases of the eye or by a licensed optometrist. *Eyeglasses for adult recipients shall be limited to two pairs per year per recipient, except a third pair may be provided after prior authorization.*

Section 12. Paragraph (a) of subsection (9) of section 409.907, Florida Statutes, is amended to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(9) Upon receipt of a completed, signed, and dated application, and completion of any necessary background investigation and criminal history record check, the agency must either:

(a) Enroll the applicant as a Medicaid provider ~~no earlier than the effective date of the approval of the provider application. With respect to providers who were recently granted a change of ownership and those who primarily provide emergency medical services transportation or emergency services and care pursuant to s. 395.1041 or s. 401.45, or services provided by entities under s. 409.91255, and out-of-state providers,~~ upon approval of the provider application.~~,~~ The *enrollment* effective date *shall be* ~~of approval is considered to be~~ the date the agency receives the provider application. *Payment for any claims for services provided to Medicaid recipients between the date of receipt of the application and the date of approval is contingent on applying any and all applicable audits and edits contained in the agency's claims adjudication and payment processing systems*; or

Section 13. Paragraph (b) of subsection (2) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or

directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(2)

(b) Subject to any limitations or directions provided for in the General Appropriations Act, the agency shall establish and implement a Florida Title XIX Long-Term Care Reimbursement Plan (Medicaid) for nursing home care in order to provide care and services in conformance with the applicable state and federal laws, rules, regulations, and quality and safety standards and to ensure that individuals eligible for medical assistance have reasonable geographic access to such care.

1. Changes of ownership or of licensed operator *may or may* ~~do~~ not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator. The agency *may* ~~shall~~ amend the Title XIX Long Term Care Reimbursement Plan to provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

2. The agency shall amend the long-term care reimbursement plan and cost reporting system to create direct care and indirect care subcomponents of the patient care component of the per diem rate. These two subcomponents together shall equal the patient care component of the per diem rate. Separate cost-based ceilings shall be calculated for each patient care subcomponent. The direct care subcomponent of the per diem rate shall be limited by the cost-based class ceiling, and the indirect care subcomponent *may* ~~shall~~ be limited by the lower of the cost-based class ceiling, the target rate class ceiling, or the individual provider target.

3. The direct care subcomponent shall include salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to residents in the nursing home facility. This excludes nursing administration, minimum data set, and care plan coordinators, staff development, and staffing coordinator.

4. All other patient care costs shall be included in the indirect care cost subcomponent of the patient care per diem rate. There shall be no costs directly or indirectly allocated to the direct care subcomponent from a home office or management company.

5. On July 1 of each year, the agency shall report to the Legislature direct and indirect care costs, including average direct and indirect care costs per resident per facility and direct care and indirect care salaries and benefits per category of staff member per facility.

6. In order to offset the cost of general and professional liability insurance, the agency shall amend the plan to allow for interim rate adjustments to reflect increases in the cost of general or professional liability insurance for nursing homes. This provision shall be implemented to the extent existing appropriations are available.

It is the intent of the Legislature that the reimbursement plan achieve the goal of providing access to health care for nursing home residents who require large amounts of care while encouraging diversion services as an alternative to nursing home care for residents who can be served within the community. The agency shall base the establishment of any maximum rate of payment, whether overall or component, on the available moneys as provided for in the General Appropriations Act. The agency may base the maximum rate of payment on the results of scientifically valid analysis and conclusions derived from objective statistical data pertinent to the particular maximum rate of payment.

Section 14. Paragraph (c) of subsection (1) of section 409.9081, Florida Statutes, is amended to read:

409.9081 Copayments.—

(1) The agency shall require, subject to federal regulations and limitations, each Medicaid recipient to pay at the time of service a nominal copayment for the following Medicaid services:

(c) Hospital emergency department visits for nonemergency care: *5 percent of up to the first $300 of the Medicaid payment for emergency room services, not to exceed* $15 ~~for each emergency department visit~~.

Section 15. Subsections (2), (3), and (4) of section 409.911, Florida Statutes, are amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the ~~1998, 1999, and~~ 2000 *, 2001, and 2002* audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2006-2007* ~~2004-2005~~ state fiscal year ~~and the average of the 1999, 2000, and 2001 audited disproportionate share data to determine the Medicaid days and charity care for the 2005-2006 state fiscal year~~.

(b) If the Agency for Health Care Administration does not have the prescribed 3 years of audited disproportionate share data as noted in paragraph (a) for a hospital, the agency shall use the average of the years of the audited disproportionate share data as noted in paragraph (a) which is available.

(c) In accordance with s. 1923(b) of the Social Security Act, a hospital with a Medicaid inpatient utilization rate greater than one standard deviation above the statewide mean or a hospital with a low-income utilization rate of 25 percent or greater shall qualify for reimbursement.

(3) Hospitals that qualify for a disproportionate share payment solely under paragraph (2)(c) shall have their payment calculated in accordance with the following formulas:

DSHP = (HMD/TMSD) x $1 million

Where:

DSHP = disproportionate share hospital payment.

HMD = hospital Medicaid days.

TSD = total state Medicaid days.

Any funds not allocated to hospitals qualifying under this section shall be redistributed to the non-state government owned or operated hospitals with greater than *3,100* ~~3,300~~ Medicaid days.

(4) The following formulas shall be used to pay disproportionate share dollars to public hospitals:

(a) For state mental health hospitals:

DSHP = (HMD/TMDMH) x TAAMH

shall be the difference between the federal cap for Institutions for Mental Diseases and the amounts paid under the mental health disproportionate share program.

Where:

DSHP = disproportionate share hospital payment.

HMD = hospital Medicaid days.

TMDHH = total Medicaid days for state mental health hospitals.

TAAMH = total amount available for mental health hospitals.

(b) For non-state government owned or operated hospitals with *3,100* ~~3,300~~ or more Medicaid days:

DSHP = [(.82 x HCCD/TCCD) + (.18 x HMD/TMD)]

x TAAPH

TAAPH = TAA - TAAMH

Where:

TAA = total available appropriation.

TAAPH = total amount available for public hospitals.

DSHP = disproportionate share hospital payments.

HMD = hospital Medicaid days.

TMD = total state Medicaid days for public hospitals.

HCCD = hospital charity care dollars.

TCCD = total state charity care dollars for public non-state hospitals.

~~1. For the 2005-2006 state fiscal year only, the DSHP for the public nonstate hospitals shall be computed using a weighted average of the disproportionate share payments for the 2004-2005 state fiscal year which uses an average of the 1998, 1999, and 2000 audited disproportionate share data and the disproportionate share payments for the 2005-2006 state fiscal year as computed using the formula above and using the average of the 1999, 2000, and 2001 audited disproportionate share data. The final DSHP for the public nonstate hospitals shall be computed as an average using the calculated payments for the 2005-2006 state fiscal year weighted at 65 percent and the disproportionate share payments for the 2004-2005 state fiscal year weighted at 35 percent.~~

~~2.~~ The TAAPH shall be reduced by $6,365,257 before computing the DSHP for each public hospital. The $6,365,257 shall be distributed equally between the public hospitals that are also designated statutory teaching hospitals.

(c) For non-state government owned or operated hospitals with less than *3,100* ~~3,300~~ Medicaid days, a total of $750,000 shall be distributed equally among these hospitals.

Section 16. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under ss. 409.911 and 409.9112, the Agency for Health Care Administration shall make disproportionate share payments to statutorily defined teaching hospitals for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the state fiscal year *2006-2007* ~~2005-2006~~, the agency shall ~~not~~ distribute *the* moneys *provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals* under the teaching hospital disproportionate share program. *The funds provided for statutorily defined teaching hospitals shall be distributed in the same proportion as the state fiscal year 2003-2004 teaching hospital disproportionate share funds were distributed. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.*

(1) On or before September 15 of each year, the Agency for Health Care Administration shall calculate an allocation fraction to be used for distributing funds to state statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital, as defined in s. 408.07, an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of three primary factors, divided by three. The primary factors are:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all state statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all state statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all state statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total Agency for Health Care Administration Service Index values, where the total is computed for all state statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all state statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all state statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutorily defined teaching hospitals:

TAP = THAF x A

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 17. Section 409.9117, Florida Statutes, is amended to read:

409.9117 Primary care disproportionate share program.—For the state fiscal year *2006-2007* ~~2005-2006~~, the agency shall not distribute moneys under the primary care disproportionate share program.

(1) If federal funds are available for disproportionate share programs in addition to those otherwise provided by law, there shall be created a primary care disproportionate share program.

(2) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the primary care disproportionate share program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a hospital participating in the primary care disproportionate share program.

HDSP = the prior state fiscal year primary care disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total primary care disproportionate share payments to all hospitals.

(3) The total additional payment for hospitals that participate in the primary care disproportionate share program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a primary care hospital.

TAE = total amount earned by a primary care hospital.

TA = total appropriation for the primary care disproportionate share program.

(4) In the establishment and funding of this program, the agency shall use the following criteria in addition to those specified in s. 409.911, payments may not be made to a hospital unless the hospital agrees to:

(a) Cooperate with a Medicaid prepaid health plan, if one exists in the community.

(b) Ensure the availability of primary and specialty care physicians to Medicaid recipients who are not enrolled in a prepaid capitated arrangement and who are in need of access to such physicians.

(c) Coordinate and provide primary care services free of charge, except copayments, to all persons with incomes up to 100 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, and to provide such services based on a sliding fee scale to all persons with incomes up to 200 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, except that eligibility may be limited to persons who reside within a more limited area, as agreed to by the agency and the hospital.

(d) Contract with any federally qualified health center, if one exists within the agreed geopolitical boundaries, concerning the provision of primary care services, in order to guarantee delivery of services in a nonduplicative fashion, and to provide for referral arrangements, privileges, and admissions, as appropriate. The hospital shall agree to provide at an onsite or offsite facility primary care services within 24 hours to which all Medicaid recipients and persons eligible under this paragraph who do not require emergency room services are referred during normal daylight hours.

(e) Cooperate with the agency, the county, and other entities to ensure the provision of certain public health services, case management, referral and acceptance of patients, and sharing of epidemiological data, as the agency and the hospital find mutually necessary and desirable to promote and protect the public health within the agreed geopolitical boundaries.

(f) In cooperation with the county in which the hospital resides, develop a low-cost, outpatient, prepaid health care program to persons who are not eligible for the Medicaid program, and who reside within the area.

(g) Provide inpatient services to residents within the area who are not eligible for Medicaid or Medicare, and who do not have private health insurance, regardless of ability to pay, on the basis of available space, except that nothing shall prevent the hospital from establishing bill collection programs based on ability to pay.

(h) Work with the Florida Healthy Kids Corporation, the Florida Health Care Purchasing Cooperative, and business health coalitions, as appropriate, to develop a feasibility study and plan to provide a low-cost comprehensive health insurance plan to persons who reside within the area and who do not have access to such a plan.

(i) Work with public health officials and other experts to provide community health education and prevention activities designed to promote healthy lifestyles and appropriate use of health services.

(j) Work with the local health council to develop a plan for promoting access to affordable health care services for all persons who reside within the area, including, but not limited to, public health services, primary care services, inpatient services, and affordable health insurance generally.

Any hospital that fails to comply with any of the provisions of this subsection, or any other contractual condition, may not receive payments under this section until full compliance is achieved.

Section 18. Paragraph (a) of subsection (39) and subsection (44) of section 409.912, Florida Statutes, are amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of

beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(39)(a) The agency shall implement a Medicaid prescribed-drug spending-control program that includes the following components:

1. A Medicaid preferred drug list, which shall be a listing of cost-effective therapeutic options recommended by the Medicaid Pharmacy and Therapeutics Committee established pursuant to s. 409.91195 and adopted by the agency for each therapeutic class on the preferred drug list. At the discretion of the committee, and when feasible, the preferred drug list should include at least two products in a therapeutic class. *The agency may post the preferred drug list and updates to the preferred drug list on an Internet website without following the rulemaking procedures of chapter 120.* Antiretroviral agents are excluded from the preferred drug list. The agency shall also limit the amount of a prescribed drug dispensed to no more than a 34-day supply unless the drug products' smallest marketed package is greater than a 34-day supply, or the drug is determined by the agency to be a maintenance drug in which case a 100-day maximum supply may be authorized. The agency is authorized to seek any federal waivers necessary to implement these cost-control programs and to continue participation in the federal Medicaid rebate program, or alternatively to negotiate state-only manufacturer rebates. The agency may adopt rules to implement this subparagraph. The agency shall continue to provide unlimited contraceptive drugs and items. The agency must establish procedures to ensure that:

a. There will be a response to a request for prior consultation by telephone or other telecommunication device within 24 hours after receipt of a request for prior consultation; and

b. A 72-hour supply of the drug prescribed will be provided in an emergency or when the agency does not provide a response within 24 hours as required by sub-subparagraph a.

2. Reimbursement to pharmacies for Medicaid prescribed drugs shall be set at the lesser of: the average wholesale price (AWP) minus 15.4 percent, the wholesaler acquisition cost (WAC) plus 5.75 percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider.

3. The agency shall develop and implement a process for managing the drug therapies of Medicaid recipients who are using significant numbers of prescribed drugs each month. The management process may include, but is not limited to, comprehensive, physician-directed medical-record reviews, claims analyses, and case evaluations to determine the medical necessity and appropriateness of a patient's treatment plan and drug therapies. The agency may contract with a private organization to provide drug-program-management services. The Medicaid drug benefit management program shall include initiatives to manage drug therapies for HIV/AIDS patients, patients using 20 or more unique prescriptions in a 180-day period, and the top 1,000 patients in annual spending. The agency shall enroll any Medicaid recipient in the drug benefit management program if he or she meets the specifications of this provision and is not enrolled in a Medicaid health maintenance organization.

4. The agency may limit the size of its pharmacy network based on need, competitive bidding, price negotiations, credentialing, or similar criteria. The agency shall give special consideration to rural areas in determining the size and location of pharmacies included in the Medicaid pharmacy network. A pharmacy credentialing process may include criteria such as a pharmacy's full-service status, location, size, patient educational programs, patient consultation, disease management services, and other characteristics. The agency may impose a moratorium on Medicaid pharmacy enrollment when it is determined that it has a sufficient number of Medicaid-participating providers. The agency must allow dispensing practitioners to participate as a part of the Medicaid pharmacy network regardless of the practitioner's proximity to any other entity that is dispensing prescription drugs under the Medicaid program. A dispensing practitioner must meet all credentialing requirements applicable to his or her practice, as determined by the agency.

5. The agency shall develop and implement a program that requires Medicaid practitioners who prescribe drugs to use a counterfeit-proof prescription pad for Medicaid prescriptions. The agency shall require the use of standardized counterfeit-proof prescription pads by Medicaid-participating prescribers or prescribers who write prescriptions for Medicaid recipients. The agency may implement the program in targeted geographic areas or statewide.

6. The agency may enter into arrangements that require manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price for the manufacturer's generic products. These arrangements shall require that if a generic-drug manufacturer pays federal rebates for Medicaid-reimbursed drugs at a level below 15.1 percent, the manufacturer must provide a supplemental rebate to the state in an amount necessary to achieve a 15.1-percent rebate level.

7. The agency may establish a preferred drug list as described in this subsection, and, pursuant to the establishment of such preferred drug list, it is authorized to negotiate supplemental rebates from manufacturers that are in addition to those required by Title XIX of the Social Security Act and at no less than 14 percent of the average manufacturer price as defined in 42 U.S.C. s. 1936 on the last day of a quarter unless the federal or supplemental rebate, or both, equals or exceeds 29 percent. There is no upper limit on the supplemental rebates the agency may negotiate. The agency may determine that specific products, brand-name or generic, are competitive at lower rebate percentages. Agreement to pay the minimum supplemental rebate percentage will guarantee a manufacturer that the Medicaid Pharmaceutical and Therapeutics Committee will consider a product for inclusion on the preferred drug list. However, a pharmaceutical manufacturer is not guaranteed placement on the preferred drug list by simply paying the minimum supplemental rebate. Agency decisions will be made on the clinical efficacy of a drug and recommendations of the Medicaid Pharmaceutical and Therapeutics Committee, as well as the price of competing products minus federal and state rebates. The agency is authorized to contract with an outside agency or contractor to conduct negotiations for supplemental rebates. For the purposes of this section, the term "supplemental rebates" means cash rebates. Effective July 1, 2004, value-added programs as a substitution for supplemental rebates are prohibited. The agency is authorized to seek any federal waivers to implement this initiative.

8. The Agency for Health Care Administration shall expand home delivery of pharmacy products. To assist Medicaid patients in securing their prescriptions and reduce program costs, the agency shall expand its current mail-order-pharmacy diabetes-supply program to include all generic and brand-name drugs used by Medicaid patients with diabetes. Medicaid recipients in the current program may obtain nondiabetes drugs on a voluntary basis. This initiative is limited to the geographic area covered by the current contract. The agency may seek and implement any federal waivers necessary to implement this subparagraph.

9. The agency shall limit to one dose per month any drug prescribed to treat erectile dysfunction.

10.a. The agency may implement a Medicaid behavioral drug management system. The agency may contract with a vendor that has experience in operating behavioral drug management systems to implement this program. The agency is authorized to seek federal waivers to implement this program.

b. The agency, in conjunction with the Department of Children and Family Services, may implement the Medicaid behavioral drug management system that is designed to improve the quality of care and behavioral health prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid behavioral drugs. The program may include the following elements:

(I) Provide for the development and adoption of best practice guidelines for behavioral health-related drugs such as antipsychotics, antidepressants, and medications for treating bipolar disorders and other behavioral conditions; translate them into practice; review behavioral health prescribers and compare their prescribing patterns to a number of indicators that are based on national standards; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid beneficiaries who are outliers in their use of behavioral health drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of behavioral health drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple same-class behavioral health drugs, and may have other potential medication problems.

(V) Track spending trends for behavioral health drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement a disease management program with a model quality-based medication component for severely mentally ill individuals and emotionally disturbed children who are high users of care.

11.a. The agency shall implement a Medicaid prescription drug management system. The agency may contract with a vendor that has experience in operating prescription drug management systems in order to implement this system. Any management system that is implemented in accordance with this subparagraph must rely on cooperation between physicians and pharmacists to determine appropriate practice patterns and clinical guidelines to improve the prescribing, dispensing, and use of drugs in the Medicaid program. The agency may seek federal waivers to implement this program.

b. The drug management system must be designed to improve the quality of care and prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid prescription drugs. The program must:

(I) Provide for the development and adoption of best practice guidelines for the prescribing and use of drugs in the Medicaid program, including translating best practice guidelines into practice; reviewing prescriber patterns and comparing them to indicators that are based on national standards and practice patterns of clinical peers in their community, statewide, and nationally; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid recipients who are outliers in their use of a single or multiple prescription drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of prescription drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple drugs that may be redundant or contraindicated, or may have other potential medication problems.

(V) Track spending trends for prescription drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement disease management programs in cooperation with physicians and pharmacists, along with a model quality-based medication component for individuals having chronic medical conditions.

12. The agency is authorized to contract for drug rebate administration, including, but not limited to, calculating rebate amounts, invoicing manufacturers, negotiating disputes with manufacturers, and maintaining a database of rebate collections.

13. The agency may specify the preferred daily dosing form or strength for the purpose of promoting best practices with regard to the prescribing of certain drugs as specified in the General Appropriations Act and ensuring cost-effective prescribing practices.

14. The agency may require prior authorization for Medicaid-covered prescribed drugs. The agency may, but is not required to, prior-authorize the use of a product:

a. For an indication not approved in labeling;

b. To comply with certain clinical guidelines; or

c. If the product has the potential for overuse, misuse, or abuse.

The agency may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug. The agency may post prior authorization criteria and protocol and updates to the list of drugs that are subject to prior authorization on an Internet website without amending its rule or engaging in additional rulemaking.

15. The agency, in conjunction with the Pharmaceutical and Therapeutics Committee, may require age-related prior authorizations for certain prescribed drugs. The agency may preauthorize the use of a drug for a recipient who may not meet the age requirement or may exceed the length of therapy for use of this product as recommended by the manufacturer and approved by the Food and Drug Administration. Prior authorization may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug.

16. The agency shall implement a step-therapy prior authorization approval process for medications excluded from the preferred drug list. Medications listed on the preferred drug list must be used within the previous 12 months prior to the alternative medications that are not listed. The step-therapy prior authorization may require the prescriber to use the medications of a similar drug class or for a similar medical indication unless contraindicated in the Food and Drug Administration labeling. The trial period between the specified steps may vary according to the medical indication. The step-therapy approval process shall be developed in accordance with the committee as stated in s. 409.91195(7) and (8). A drug product may be approved without meeting the step-therapy prior authorization criteria if the prescribing physician provides the agency with additional written medical or clinical documentation that the product is medically necessary because:

a. There is not a drug on the preferred drug list to treat the disease or medical condition which is an acceptable clinical alternative;

b. The alternatives have been ineffective in the treatment of the beneficiary's disease; or

c. Based on historic evidence and known characteristics of the patient and the drug, the drug is likely to be ineffective, or the number of doses have been ineffective.

The agency shall work with the physician to determine the best alternative for the patient. The agency may adopt rules waiving the requirements for written clinical documentation for specific drugs in limited clinical situations.

17. The agency shall implement a return and reuse program for drugs dispensed by pharmacies to institutional recipients, which includes payment of a $5 restocking fee for the implementation and operation of the program. The return and reuse program shall be implemented electronically and in a manner that promotes efficiency. The program

must permit a pharmacy to exclude drugs from the program if it is not practical or cost-effective for the drug to be included and must provide for the return to inventory of drugs that cannot be credited or returned in a cost-effective manner. The agency shall determine if the program has reduced the amount of Medicaid prescription drugs which are destroyed on an annual basis and if there are additional ways to ensure more prescription drugs are not destroyed which could safely be reused. The agency's conclusion and recommendations shall be reported to the Legislature by December 1, 2005.

(44) The Agency for Health Care Administration shall ensure that any Medicaid managed care plan as defined in s. 409.9122(2)*(f)*~~(h)~~, whether paid on a capitated basis or a shared savings basis, is cost-effective. For purposes of this subsection, the term "cost-effective" means that a network's per-member, per-month costs to the state, including, but not limited to, fee-for-service costs, administrative costs, and case-management fees, if any, must be no greater than the state's costs associated with contracts for Medicaid services established under subsection (3), which *may* ~~shall~~ be ~~actuarially~~ adjusted for *health status* ~~case mix, model, and service area~~. The agency shall conduct actuarially sound *adjustments for health status* ~~audits adjusted for case mix and model~~ in order to ensure such cost-effectiveness and shall publish the ~~audit~~ results on its Internet website and submit the ~~audit~~ results annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 31 of each year. Contracts established pursuant to this subsection which are not cost-effective may not be renewed.

Section 19. Paragraphs (f) and (k) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(f) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of *35* ~~40~~ percent in MediPass and *65* ~~60~~ percent in managed care plans *, of all those eligible to choose managed care,* is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a *35* ~~40~~ percent and *65* ~~60~~ percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who are to be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be economically operated. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(k) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan, except in those counties in which there are fewer than two managed care plans accepting Medicaid enrollees, in which case assignment shall be to a managed care plan or a MediPass provider. Medicaid recipients in counties with fewer than two managed care plans accepting Medicaid enrollees who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of *35* ~~40~~ percent in MediPass and *65* ~~60~~ percent in managed care plans*, of all those eligible to choose managed care,* is achieved. Once that enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a *35* ~~40~~ percent and *65* ~~60~~ percent proportion, respectively. In service areas 1 and 6 of the Agency for Health Care Administration where the agency is contracting for the provision of comprehensive behavioral health services through a capitated prepaid arrangement, recipients who fail to make a choice shall be assigned equally to MediPass or a managed care plan. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes exclusive provider organizations, provider service networks, Children's Medical Services Network, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

5. The agency has authority to make mandatory assignments based on quality of service and performance of managed care plans.

Section 20. Section 409.9301, Florida Statutes, is created to read:

409.9301 Pharmaceutical expense assistance.—

(1) PROGRAM ESTABLISHED.—A program is established in the Agency for Health Care Administration to provide pharmaceutical expense assistance to individuals diagnosed with cancer or individuals who have received organ transplants who were medically needy recipients prior to January 1, 2006.

(2) ELIGIBILITY.—Eligibility for the program is limited to an individual who:

(a) Is a resident of this state;

(b) Was a Medicaid recipient under the Florida Medicaid medically needy program prior to January 1, 2006;

(c) Is eligible for Medicare;

(d) Is a cancer patient or an organ transplant recipient; and

(e) Requests to be enrolled in the program.

(3) BENEFITS.—Subject to an appropriation in the General Appropriations Act and the availability of funds, the Agency for Health Care Administration shall pay, using Medicaid payment policies, the Medicare Part-B prescription drug coinsurance and deductibles for Medicare Part-B medications that treat eligible cancer and organ transplant patients.

(4) ADMINISTRATION.—The pharmaceutical expense assistance program shall be administered by the agency, in collaboration with the Department of Elderly Affairs and the Department of Children and Family Services.

(a) The agency may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

(b) By January 1 of each year, the agency shall report to the Legislature on the operation of the program. The report shall include information on the number of individuals served, use rates, and expenditures under the program.

(5) NONENTITLEMENT.—The pharmaceutical expense assistance program established by this section is not an entitlement. The agency may develop a waiting list based on application dates to use in enrolling individuals when funds become available for unfilled enrollment slots.

Section 21. Subsection (17) is added to section 430.04, Florida Statutes, to read:

430.04 Duties and responsibilities of the Department of Elderly Affairs.—The Department of Elderly Affairs shall:

(17) Be designated as a state agency that is eligible to receive federal funds for adults who are eligible for assistance through the portion of the federal Child and Adult Care Food Program for adults, which is referred to as the Adult Care Food Program, and that is responsible for establishing and administering the program. The purpose of the Adult Care Food Program is to provide nutritious and wholesome meals and snacks for adults in nonresidential day care centers or residential treatment facilities. To ensure the quality and integrity of the program, the department shall develop standards and procedures that govern sponsoring organizations and adult day care centers. The department shall follow federal requirements and may adopt any rules necessary pursuant to ss. 120.536(1) and 120.54 for the implementation of the Adult Care Food Program. With respect to the Adult Care Food Program, the department shall adopt rules pursuant to ss. 120.536(1) and 120.54 that implement relevant federal regulations, including 7 C.F.R. part 226. The rules may address, at a minimum, the program requirements and procedures identified in this subsection.

Section 22. Subsection (5) of section 430.705, Florida Statutes, is amended to read:

430.705 Implementation of the long-term care community diversion pilot projects.—

(5) *A prospective participant who applies for the long-term care community diversion pilot project and is determined by the Comprehensive Assessment Review and Evaluation for Long-Term Care Services (CARES) Program within the Department of Elderly Affairs to be medically eligible, but has not been determined financially eligible by the Department of Children and Family Services, shall be designated "Medicaid Pending." CARES shall determine each applicant's eligibility within 22 days after receiving the application. Contractors may elect to provide services to Medicaid Pending individuals until their financial eligibility is determined. If the individual is determined financially eligible, the agency shall pay the contractor that provided the services a capitated rate retroactive to the first of the month following the CARES eligibility determination. If the individual is not financially eligible for Medicaid, the contractor may terminate services and seek reimbursement from the individual.* ~~In order to achieve rapid enrollment into the program and efficient diversion of applicants from nursing home care, the department and the agency shall allow enrollment of Medicaid beneficiaries on the date that eligibility for the community diversion pilot project is approved. The provider shall receive a prorated capitated rate for those enrollees who are enrolled after the first of each month.~~

Section 23. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act. ~~Each fiscal year, the corporation shall establish a local match policy for the enrollment of non-Title XXI-eligible children in the Healthy Kids program. By May 1 of each year, the corporation shall provide written notification of the amount to be remitted to the corporation for the following fiscal year under that policy. Local match sources may include, but are not limited to, funds provided by municipalities, counties, school boards, hospitals, health care providers, charitable organizations, special taxing districts, and private organizations. The minimum local match cash contributions required each fiscal year and local match credits shall be determined by the General Appropriations Act. The corporation shall calculate a county's local match rate based upon that county's percentage of the state's total non-Title XXI expenditures as reported in the corporation's most recently audited financial statement. In awarding the local match credits, the corporation may consider factors including, but not limited to, population density, per capita income, and existing child health-related expenditures and services.~~

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida KidCare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Establish benefit packages which conform to the provisions of the Florida KidCare program, as created in ss. 409.810-409.820.

Section 24. *The Office of Program Policy Analysis and Government Accountability shall review the functions currently performed by the Comprehensive Assessment Review and Evaluation for Long-Term Care Services (CARES) Program within the Department of Elderly Affairs. The Office of Program Policy Analysis and Government Accountability shall identify the factors affecting the time currently required for CARES staff to assess an individual's eligibility for long-term care services. As part of this study, the Office of Program Policy Analysis and Government Accountability shall also examine circumstances that could delay an individual's placement into the long-term care community diversion pilot project. The Office of Program Policy Analysis and Government Accountability shall report its findings to the President of the Senate and the Speaker of the House of Representatives by February 1, 2007.*

Section 25. *Section 409.8201, Florida Statutes, is repealed.*

Section 26. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to health care; amending s. 391.026, F.S.; requiring the Department of Health to contract with a third-party administrator for certain services necessary to the operation of the Children's Medical Services network; authorizing the department to maintain a specified minimum reserve for the network; amending s. 400.141, F.S.; providing a reference for purposes of assessing compliance with standards for staffing levels in nursing homes; amending s. 400.179, F.S.; revising the amount of a certain fee to be paid by a leasehold licensee upon transfer of ownership of a nursing facility under certain circumstances; amending s. 400.23, F.S.; revising minimum staffing requirements for nursing homes; amending s. 409.811, F.S.; deleting the definition of the term "enrollment ceiling"; amending s. 409.8134, F.S.; deleting references to enrollment ceilings for the Florida KidCare program; providing for enrollment to cease when the expenditure ceiling is reached; amending ss. 409.814 and 409.818, F.S.; deleting references to enrollment ceilings for the Florida KidCare program; amending s. 409.904, F.S.; revising requirements relating to eligibility of certain women for family planning services; amending s. 409.905, F.S.; revising provisions relating to the implementation of a hospitalist program; authorizing the Agency for Health Care Administration to procure hospitalist services by individual county or combined counties; requiring a qualified organization to contract with or employ board-eligible physicians in specified counties; amending s. 409.906, F.S.; revising provisions relating to optional dental, hearing, and visual services covered by Medicaid; amending s. 409.907, F.S.; revising the enrollment effective date for Medicaid providers; providing procedures for payment for certain claims for services; amending s. 409.908, F.S.; revising provisions relating to the effect of changes of ownership or of licensed operator of a Medicaid provider on reimbursement rates under certain circumstances; revising provisions to permit rather than require a certain limit on the indirect care component of the long-term care reimbursement plan; amending s. 409.9081, F.S.; revising the limitation on Medicaid recipient copayments for emergency room services; amending s. 409.911, F.S., relating to the hospital disproportionate share program; revising the method for calculating disproportionate share payments to hospitals; deleting obsolete provisions; amending s. 409.9113, F.S.; providing guidelines for distribution of disproportionate share funds to certain teaching hospitals; amending s. 409.9117, F.S., relating to the primary care disproportionate share program; revising the time period during which the agency shall not distribute certain moneys; amending s. 409.912, F.S., relating to cost-effective purchasing of health care; authorizing the agency to post a preferred drug list and updates thereto on an Internet website without following the rulemaking procedures of ch. 120, F.S.; providing that adjustments for health status be considered in agency evaluations of the cost-effectiveness of Medicaid managed care plans; amending s. 409.9122, F.S.; revising enrollment limits for Medicaid recipients who are subject to mandatory assignment to managed care plans and Medi-Pass; creating s. 409.9301, F.S.; establishing a pharmaceutical expense assistance program; providing eligibility requirements; providing for the Agency for Health Care Administration to pay certain coinsurance and deductibles for specified medications; requiring the agency, in collaboration with the Department of Elderly Affairs and the Department of Children and Family Services, to administer the program; authorizing the agency to adopt rules; requiring a report to the Legislature; declaring that the program is not an entitlement; providing for a waiting list; amending s. 430.04, F.S.; designating the Department of Elderly Affairs as the state agency to receive federal funds for adults eligible for assistance through the Adult Care Food Program; requiring the department to develop standards and procedures to govern sponsoring organizations and adult day care centers for certain purposes; providing rulemaking authority to the department; amending s. 430.705, F.S., relating to implementation of the long-term care community diversion pilot projects; providing for certain prospective participants in the pilot projects to be designated "Medicaid Pending" while eligibility is determined; providing conditions for reimbursement of contractors; amending s. 624.91, F.S.; deleting provisions requiring the Florida Healthy Kids Corporation to establish a local match policy for the enrollment of certain children in the Healthy Kids program; requiring the Office of Program Policy Analysis and Government Accountability to review functions performed by the Comprehensive Assessment Review and Evaluation for Long-Term Care Services Program; requiring a report to the Legislature; repealing s. 409.8201, F.S., relating to the enrollment ceiling for the non-Medicaid portion of the Florida KidCare program; providing an effective date.

The Conference Committee Report was read and on motion by Senator Saunders was adopted. **HB 5007** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5009, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5009

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5009, same being:

An act relating to substance abuse and mental health services funding; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; revising the funding allocation methodology; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson

s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna

s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters

Trudi K. Williams *s/Juan C. Zapata*

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.—

(3) POWER TO CONTRACT.—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding the provisions of s. 287.057(5)(f), contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids when the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids will be effective for 3 years. ~~Services contracted for by the department may be reimbursed by the state at a rate up to 100 percent.~~ The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 2. Section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity ~~among service districts of the former Department of Health and Rehabilitative Services~~ in the funding of substance abuse and mental health services *for the department's districts and regions*~~,~~ and ~~in order~~ to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be *used* ~~adhered to~~:

(1) Funding thresholds for substance abuse and mental health services in each of the current districts, statewide, shall be established based on the current number of persons in need per district of substance abuse and mental health services, respectively.

(2) "Persons in need" means those persons who fit the profile of the respective target populations and require mental health or substance abuse services.

(3) ~~Seventy-five percent of~~ Any additional funding beyond the *2005-2006* ~~1996-1997~~ fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

(a) Epidemiological estimates of disabilities *that* ~~which~~ apply to the respective target populations.

(b) A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

~~(4) The remaining 25 percent shall be allocated based on the number of persons in need of substance abuse and mental health services per district without regard to current funding levels.~~

(4)~~(5)~~ Target populations for persons in need shall be displayed for each district and distributed concurrently with the approved operating budget. The display by target population shall show: The annual number

of persons served based on prior year actual numbers, the annual cost per person served, ~~the number of persons served by service cost center,~~ and the estimated number of the total target population for persons in need.

(5)~~(6)~~ The annual cost per person served shall be defined as the total actual funding for each target population divided by the number of persons served in the target population for that year.

~~(7) Commencing on July 1, 1998, all additional funding pursuant to this section shall be performance-based.~~

~~(8) For fiscal year 2004-2005 only, and notwithstanding the provisions of this section, all new funds received in excess of fiscal year 2003-2004 recurring appropriations shall be allocated in accordance with the provisions of the General Appropriations Act; however, no district shall receive an allocation of recurring funds less than its initial approved operating budget, plus any distributions of lump sum appropriations or reductions in unfunded budget, for fiscal year 2003-2004. This subsection expires July 1, 2005.~~

Section 3. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to substance abuse and mental health services funding; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the funding allocation methodology; providing an effective date.

The Conference Committee Report was read and on motion by Senator Saunders was adopted. **HB 5009** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON HB 5011

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5011, same being:

An act relating to foster care and related services; removing provisions requiring the Department of Children and Family Services to develop a statewide plan for outsourcing foster care and related services; removing certain plan requirements; removing an obsolete date; removing a requirement to issue certain loans; requiring a community-based risk pool initiative for certain purposes; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 409.1671, Florida Statutes, is amended to read:

409.1671 Foster care and related services; outsourcing.—

(7) ~~The Florida Coalition for Children, Inc., in consultation with the department, shall develop a plan based on an independent actuarial study regarding the long-term use and structure of a statewide community-based care risk pool for the protection of eligible lead community-based providers, their subcontractors, and providers of other social services who contract directly with the department. The plan must also outline strategies to maximize federal earnings as they relate to the community-based care risk pool. At a minimum, the plan must allow for the use of federal earnings received from child welfare programs to be allocated to the community-based care risk pool by the department, which earnings are determined by the department to be in excess of the amount appropriated in the General Appropriations Act. The plan must specify the necessary steps to ensure the financial integrity and industry-standard risk management practices of the community-based care risk pool and the continued availability of funding from federal, state, and local sources. The plan must also include recommendations that permit the program to be available to entities of the department providing child welfare services until full conversion to community-based care takes place. The final plan shall be submitted to the department and then to the Executive Office of the Governor and the Legislative Budget Commission for formal adoption before January 1, 2005. Upon approval of the plan by all parties, the department shall issue an interest-free loan that is secured by the cumulative contractual revenue of the community-based care risk pool membership, and the amount of the loan shall equal the amount appropriated by the Legislature for this purpose. The plan shall provide for a governance structure that assures the department the ability to oversee the operation of the community-based care risk pool at least until this loan is repaid in full.~~

(a) The department, in consultation with the Florida Coalition for Children, Inc., shall develop and implement a community-based care risk pool initiative to mitigate the financial risk to eligible lead community-based providers. This initiative shall include:

1. A risk pool application and protocol developed by the department that outline submission criteria, including, but not limited to, financial and program management, descriptive data requirements, and time-frames for submission of applications. Requests for funding from risk pool applicants shall be based on relevant and verifiable service trends and changes that have occurred during the current fiscal year. The application shall confirm that expenditure of approved risk pool funds by the lead community-based provider shall be completed within the current fiscal year.

2. A risk pool peer review committee, appointed by the secretary and consisting of department staff and representatives from at least three nonapplicant community-based care providers, that reviews and assesses all risk pool applications. Upon completion of each application review, the peer review committee shall report its findings and recommendations to the secretary providing, at a minimum, the following information:

a. Justification for the specific funding amount required by the risk pool applicant based on current year service trend data, including validation that the applicant's financial need was caused by circumstances beyond the control of the lead agency management;

b. Verification that the proposed use of risk pool funds meets at least one of the criteria in paragraph (c); and

c. Evidence of technical assistance provided in an effort to avoid the need to access the risk pool and recommendations for technical assistance to the lead agency to ensure that risk pool funds are expended effectively and that the agency's need for future risk pool funding is diminished.

(b) Upon approval by the secretary of a risk pool application, the department may request funds from the risk pool in accordance with s. 216.181(6)(a).

(c)~~(a)~~ The purposes for which the community-based care risk pool shall be used include~~, but are not limited to~~:

1. Significant changes in the number or composition of clients eligible to receive services.

2. Significant changes in the services that are eligible for reimbursement.

~~3. Scheduled or unanticipated, but necessary, advances to providers or other cash-flow issues.~~

~~4. Proposals to participate in optional Medicaid services or other federal grant opportunities.~~

~~5. Appropriate incentive structures.~~

3.~~6.~~ Continuity of care in the event of failure, discontinuance of service, or financial misconduct by a lead agency.

~~7. Payment for time-limited technical assistance and consultation to lead agencies in the event of serious performance or management problems.~~

~~8. Payment for meeting all traditional and nontraditional insurance needs of eligible members.~~

4.~~9.~~ Significant changes in the mix of available funds.

(d)~~(b)~~ ~~After approval of the plan in the 2004-2005 fiscal year and annually thereafter,~~ The department may also request in its annual legislative budget request, and the Governor may recommend, that the funding necessary to carry out paragraph *(c)* ~~(a)~~ be appropriated to the department. ~~Subsequent funding of the community-based care risk pool shall be supported by premiums assessed to members of the community-based care risk pool on a recurring basis. The community-based care risk pool may invest and retain interest earned on these funds.~~ In addition, the department may *request the allocation of* ~~transfer~~ funds *from* ~~to~~ the community-based care risk pool *in accordance with s. 216.181(6)(a)* ~~as available in order to ensure an adequate funding level if the fund is declared to be insolvent and approval is granted by the Legislative Budget Commission. Such payments for insolvency shall be made only after a determination is made by the department or its actuary that all participants in the community-based care risk pool are current in their payments of premiums and that assessments have been made at an actuarially sound level. Such payments by participants in the community-based care risk pool may not exceed reasonable industry standards, as determined by the actuary~~. *Funds* ~~Money~~ from this *pool* ~~fund~~ may be used to match available federal dollars. ~~Dividends or other payments, with the exception of legitimate claims, may not be paid to members of the community-based care risk pool until the loan issued by the department is repaid in full. Dividends or other payments, with the exception of legitimate claims and other purposes contained in the approved plan, may not be paid to members of the community-based care risk pool unless, at the time of distribution, the community-based care risk pool is deemed actuarially sound and solvent. Solvency shall be determined by an independent actuary contracted by the department. The plan shall be developed in consultation with the Office of Insurance Regulation.~~

1. Such funds shall constitute partial security for contract performance by lead agencies and shall be used to offset the need for a performance bond. ~~Subject to the approval of the plan, the community-based care risk pool shall be managed by the Florida Coalition for Children, Inc., or the designated contractors of the Florida Coalition for Children, Inc. Nonmembers of the community-based care risk pool may continue to contract with the department but must provide a letter of credit equal to one-twelfth of the annual contract amount in lieu of membership in the community-based care risk pool.~~

2. The department may separately require a bond to mitigate the financial consequences of potential acts of malfeasance, misfeasance, or criminal violations by the provider.

(e) The department may issue an interest-free loan to the Florida Coalition for Children, Inc., for the purpose of creating a self-insurance program pursuant to law. The loan shall be secured by the cumulative contractual revenue of the community-based care lead agencies participating in the self-insurance program. The amount of the loan shall be in an amount equal to the amount appropriated by the Legislature for this purpose. The terms of the repayment of the loan shall be based on the economic viability of the self-insurance program.

Section 2. *Pilot project and financial issues.—*

(1) A 3-year pilot program is established for the community-based care lead agencies serving Miami-Dade, Monroe, and Broward Counties. This pilot program shall allow for the transfer of the current lead agency oversight responsibilities of the Department of Children and Family Services to independent entities and for funding the program through a

grant that enhances funding flexibility. The pilot program shall expand the responsibilities and services provided by these lead agencies.

(2) The Department of Children and Family Services shall enter into a 3-year contract with the designated community-based care lead agency serving Miami-Dade and Monroe Counties and with the designated community-based care lead agency serving Broward County, which have been established in accordance with s. 409.1671, Florida Statutes. The department and the lead agencies in this pilot program shall submit to the Chief Financial Officer proposed contract language no later than June 1, 2006. The Chief Financial Officer shall review the contracts for sufficiency and respond to the parties no later than June 15, 2006. This subsection shall take effect upon this act becoming a law.

(3) The amount of federal Title IV-E funding allocated in each year of the 3-year pilot program shall be equal to the amount earned by each of the lead agencies and by the department's district or zone community-based care activities during the 2005-2006 fiscal year that is transitioned to the lead agencies as part of this pilot program. The lead agencies shall annually provide certified audited financial statements to the Governor, the Department of Children and Family Services, the appropriations committees of the Legislature, and the local community-based care alliances of Broward, Miami-Dade, and Monroe Counties. In implementing the pilot program, the department shall not use funds appropriated or allocated to community-based care lead agencies located outside of the pilot program area.

(4) Fiscal monitoring, administrative monitoring, and programmatic monitoring shall be conducted by independent, nongovernmental third-party entities under contract with the department and shall be conducted in a manner jointly agreed to by the lead agencies and the department. The department shall fund the cost of contracting with these entities. Notwithstanding any other provision to the contrary, the pilot program may not be implemented until the parties have agreed to the selection of these entities and the manner in which they are to carry out their responsibilities. Such agreement must be reached by the parties no later than July 1, 2006. The selection of the third-party entities under this subsection shall be exempt from s. 287.057, Florida Statutes, from the effective date of this subsection through June 30, 2007. Fiscal oversight shall be conducted in a manner similar to the model used by the department during the 2005-2006 fiscal year in Miami-Dade and Monroe Counties. This subsection shall take effect upon this act becoming a law.

(5) To compare the performance of the pilot program's lead agencies with that of other lead agencies, the programmatic performance of the pilot program's lead agencies shall be measured and monitored by outcome measures contained in their contracts with the department that are in effect on the effective date of this section and other outcomes designed to best determine the quality of performance of the lead agencies and developed by the parties in conjunction with the independent, nongovernmental third-party entities as part of the agreement on programmatic monitoring. The independent entities shall submit their reports directly to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the community-based care alliances of Broward, Miami-Dade, and Monroe Counties.

(6) For purposes of this section, the term "parties" means the two lead agencies implementing this pilot program and the Department of Children and Family Services.

(7) The department and the lead agencies implementing the pilot program shall develop an implementation plan with the Agency for Health Care Administration regarding the pending Medicaid mental health reform for the purpose of implementing a local model that allows for the integration of behavioral health and physical health with the local child welfare systems of care.

(8) The annual evaluation required by s. 409.1671(4)(a), Florida Statutes, shall include an evaluation of the pilot program described in this section that compares performance and fiscal management of the community-based care lead agencies in the pilot program to those that are not in the pilot program. In addition, the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General shall jointly complete an evaluation of the pilot program and provide an interim report to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2008, and a final report no later than February 1, 2009.

(9) The provisions of this subsection shall be included in the contracts with the lead agencies in the pilot program and may be implemented with other community-based care lead agencies established under s. 409.1671, Florida Statutes. The contracts must be fixed-price funded in 36 equal monthly installments. The first 2 months shall be paid in advance on July 10, 2006. The contracts shall be funded by a grant of general revenue and by applicable federal funding sources. The lead agencies are responsible for documenting federal earnings, and federal earnings not documented shall be returned to the department. Notwithstanding s. 409.1671(8), Florida Statutes, the lead agencies' annual contract amounts may be increased by excess federal earnings in accordance with s. 216.181(11), Florida Statutes. Monthly reporting requirements shall be limited to only the reports required to support monthly federal expenditure reporting and statutorily restricted state expenditures as defined in the lead agencies' approved cost allocation plan. Quarterly reconciliation shall be required from the participating lead agencies. All other required fiscal reporting shall be determined by the independent fiscal monitors. Notwithstanding any other provision of law, the following lead agency expenditures are permissible: staff cellular telephone allowances; contracts requiring deferred payments and maintenance agreements; security deposits for office leases; related professional membership dues and professional state license fees; food and refreshment; promotional materials; and costs associated with fundraising personnel either employed or contracted with by the lead agency.

(10) The department, in consultation with the Department of Financial Services, shall develop a compliance supplement for the state financial assistance regarding flexibility of allowable expenditures in accordance with s. 215.97, Florida Statutes, which shall be applicable to all community-based lead agencies.

(11) The department shall submit a plan to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee, and the chair of the House of Representatives Fiscal Council describing the most efficient use of resources relating to community-based care in the district administration and the program management and compliance budget entities. Any cost savings achieved as a result of this plan shall be distributed to the lead agencies by a methodology described in the plan. The department's plan shall be submitted no later than July 1, 2006. This subsection shall take effect upon this act becoming a law.

(12) This section is repealed July 1, 2009.

Section 3. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to foster care and related services; amending s. 409.1671, F.S.; removing provisions requiring the Department of Children and Family Services to develop a statewide plan for outsourcing foster care and related services; removing certain plan requirements; removing an obsolete date; removing a requirement to issue certain loans; requiring a community-based risk pool initiative for certain purposes; providing for the components of the initiative; establishing a risk pool peer review committee; requiring a report to the secretary of the department; authorizing expenditures from the risk pool under certain circumstances; providing for uses of the risk pool; removing certain provisions relating to the sources of future funding; making conforming changes; removing authority of the Florida Coalition for Children, Inc., or its subcontractors to manage certain risk pool funds; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc., to establish a self-insurance program based on certain appropriations; providing terms for repayment of the loan; establishing a 3-year pilot program in Miami-Dade, Monroe, and Broward Counties; providing for the transfer of certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies; requiring review of the proposed contract by the Chief Financial Officer by a certain date; providing for funding the pilot program from grants and federal funds; requiring that annual financial statements regarding the pilot program be provided to the Governor, the Legislature, the department, and certain local community-based care alliances; prohibiting the department from using certain funds; requiring that fiscal, administrative, and programmatic monitoring be conducted by third-party entities; requiring the department to fund the cost of the third-party monitoring; exempting the selection of the third-party entities from the provisions of s. 287.057, F.S., for a specified period of time; requiring such entities

to submit reports to the Governor, the Legislature, and certain local community-based care alliances; defining "parties"; requiring that the department, the lead agencies implementing the pilot program, and the Agency for Health Care Administration develop a plan for integrating certain Medicaid health services; specifying that the annual evaluation required in s. 409.1671, F.S., include an evaluation of the pilot program; directing the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General to complete an evaluation of the pilot program and to report to the Legislature; providing for certain provisions to be included in the contract; requiring the department to enter into fixed-price contracts; authorizing increased contract payments under certain circumstances; requiring fiscal reporting and reconciliation; providing for certain expenditures by lead agencies; providing for a compliance supplement applicable to all community-based lead agencies; requiring the department to submit a plan by July 1, 2006, to the Governor and Legislature for the efficient use of resources; providing for distribution of savings resulting from the plan; providing for future repeal; providing effective dates.

The Conference Committee Report was read and on motion by Senator Saunders was adopted. **HB 5011** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5013, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5013

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5013, same being:

An act relating to client services fee collections funding; eliminating certain authority of the Department of Children and Family Services and the Department of Health to use fee collections in excess of fee-supported appropriations for certain purposes; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
Don Davis
s/Frank Farkas
Bill Galvano
s/Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (10) of section 402.33, Florida Statutes, is amended to read:

402.33 Department authority to charge fees for services provided.—

~~(10)(a) Unless otherwise specified by the Legislature, fee collections, including third-party reimbursements, in excess of fee-supported appropriations may be used in conformance with the provisions of chapter 216 to fund nonrecurring expenditures for direct client services and to fund administrative costs of improving the fee collection program of the department. No more than one-sixth of the amount of collections in excess of the amount of appropriations may be used to fund such improvements~~

~~to the program. Priority consideration for the expenditure of excess collections shall be given to those districts and programs most responsible for the excess. A plan for the use of excess collections not spent in the fiscal year in which collected shall be subject to approval by the Executive Office of the Governor within 90 days from the end of the state fiscal year in which the excess occurs.~~

~~(b) For the 2005-2006 fiscal year only, the provisions of paragraph (a) shall not apply. This paragraph expires July 1, 2006.~~

Section 2. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to client services fee collections; amending s. 402.33, F.S.; eliminating certain authority of the Department of Children and Family Services and the Department of Health to use fee collections in excess of fee-supported appropriations for certain purposes; providing an effective date.

The Conference Committee Report was read and on motion by Senator Saunders was adopted. **HB 5013** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5017, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5017

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5017, same being:

An act relating to corrections; abolishing the Florida Corrections Commission; requiring the Department of Corrections, in lieu of the commission, to submit an annual report on certain elderly offenders; requiring the Department of Management Services, in lieu of the commission, to consider proposed waivers of rules, policies, and procedures of the Department of Corrections for contractors of private correctional facilities; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and the Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (7) through (13) of section 20.315, Florida Statutes, are renumbered as subsections (6) through (12), respectively, and present subsection (6) of that section is amended to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

~~(6) FLORIDA CORRECTIONS COMMISSION.—~~

~~(a)1. The Florida Corrections Commission is hereby created. The primary focus of the commission shall be on corrections; however, in those instances in which the policies of other components of the criminal justice system affect corrections, the commission shall advise and make recommendations.~~

~~2. The commission shall consist of nine members appointed by the Governor subject to confirmation by the Senate. Members of the commission shall serve terms of 4 years each. Members must be appointed in such a manner as to equitably represent all geographic areas of the state. Each member of the commission must be a citizen and registered voter of the state. A member of the commission shall represent the public safety needs of the state as a whole and may not subordinate the needs of the state to those of any particular area of the state. The commission's membership should, to the extent possible, contain persons who are knowledgeable about construction, health care, information technology, education, business, food services, law, and inmate and youthful offender rehabilitation and services.~~

~~3. The commission is assigned to the office of the Secretary of Corrections for administrative and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the Department of Corrections.~~

~~(b) The primary functions of the commission are to:~~

~~1. Recommend major correctional policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.~~

~~2. Periodically review the status of the state correctional system and recommend improvements therein to the Governor and the Legislature.~~

~~3. Annually perform an in-depth review of community-based intermediate sanctions and recommend to the Governor and the Legislature intergovernmental approaches through the Community Corrections Partnership Act for planning and implementing such sanctions and programs.~~

~~4. Perform an in-depth evaluation of the annual budget request of the Department of Corrections, the comprehensive correctional master plan, and the tentative construction program for compliance with all applicable laws and established departmental policies. The commission may not consider individual construction projects, but shall consider methods of accomplishing the department's goals in the most effective, efficient, and businesslike manner.~~

~~5. Routinely monitor the financial status of the Department of Corrections to assure that the department is managing revenue and any applicable bond proceeds responsibly and in accordance with law and established policy.~~

~~6. Evaluate, at least quarterly, the efficiency, productivity, and management of the Department of Corrections, using performance and production standards developed by the department under former subsection (18).~~

~~7. Provide public education on corrections and criminal justice issues.~~

~~8. Report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by November 1 of each year.~~

~~9. Resolve disputes between the Department of Corrections and the contractors for the private correctional facilities entered into under chapter 957 when a contractor proposes to waive a rule, policy, or procedure concerning operation standards.~~

~~(c) The commission or a member thereof may not enter into the day-to-day operation of the Department of Corrections and is specifically prohibited from taking part in:~~

~~1. The awarding of contracts by the department.~~

~~2. The selection by the department of a consultant or contractor or the prequalification by the department of any individual consultant or contractor. However, the commission may recommend to the Secretary of Corrections standards and policies governing the procedure for selection and prequalification of consultants and contractors.~~

~~3. The selection by the department of a county for a specific project.~~

~~4. The selection by the department of a specific location for a correctional facility.~~

~~5. The employment, promotion, demotion, suspension, transfer, or discharge of any departmental personnel.~~

~~6. The enforcement of minimum standards for any county or municipal detention facility.~~

~~(d)1. The chair of the commission shall be selected by the members for a term of 1 year.~~

~~2. The commission shall hold a minimum of four regular meetings annually, and other meetings may be called by the chair upon giving at least 7 days' notice to all members and the public pursuant to chapter 120. Meetings may also be held upon the written request of at least four members, upon at least 7 days' notice of such meeting being given to all members and the public by the chair pursuant to chapter 120. Emergency meetings may be held without notice upon the request of all members. The meetings of the commission shall be held in the central office of the Department of Corrections in Tallahassee unless the chair determines that special circumstances warrant meeting at another location.~~

~~3. A majority of the membership of the commission constitutes a quorum at any meeting of the commission. An action of the commission is not binding unless the action is taken pursuant to an affirmative vote of a majority of the members present, but not fewer than four members of the commission must be present, and the vote must be recorded in the minutes of the meeting.~~

~~4. The chair shall cause to be made a complete record of the proceedings of the commission, which record shall be open for public inspection.~~

~~(e) The commission shall appoint an executive director and an assistant executive director, who shall serve under the direction, supervision, and control of the commission. The executive director, with the consent of the commission, shall employ such staff as are necessary to perform adequately the functions of the commission, within budgetary limitations. All employees of the commission are exempt from part II of chapter 110 and serve at the pleasure of the commission. The salaries and benefits of all employees of the commission shall be set in accordance with the Selected Exempt Service rules; however, the commission shall have complete authority for fixing the salaries of the executive director and the assistant executive director.~~

~~(f) Members of the commission are entitled to per diem and travel expenses pursuant to s. 112.061.~~

~~(g) A member of the commission may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the term of his or her appointment and for 2 years after the termination of that appointment.~~

~~(h) The commission shall develop a budget pursuant to chapter 216. The budget is not subject to change by the department, but such budget shall be submitted to the Governor along with the budget of the department.~~

Section 2. Section 944.8041, Florida Statutes, is amended to read:

944.8041 Elderly offenders; annual review.—For the purpose of providing information to the Legislature on elderly offenders within the correctional system, the *department* ~~Florida Corrections Commission~~ and the Correctional Medical Authority shall each submit annually a report on the status and treatment of elderly offenders in the state-administered and private state correctional systems, as well as such information on the River Junction Correctional Institution. In order to adequately prepare the reports, the department ~~of Corrections~~ and the Department of Management Services shall grant access to ~~the Florida Corrections Commission and~~ the Correctional Medical Authority which includes access to the facilities, offenders, and any information the agencies require to complete their reports. The review shall also include an examination of promising geriatric policies, practices, and programs currently implemented in other correctional systems within the United States. The reports, with specific findings and recommendations for implementation, shall be submitted to the President of the Senate and

the Speaker of the House of Representatives on or before December 31 of each year.

Section 3. Paragraph (e) of subsection (1) of section 957.04, Florida Statutes, is amended to read:

957.04 Contract requirements.—

(1) A contract entered into under this chapter for the operation of private correctional facilities shall maximize the cost savings of such facilities and shall:

(e) Establish operations standards for correctional facilities subject to the contract. However, if the department and the contractor disagree with an operations standard, the contractor may propose to waive any rule, policy, or procedure of the department related to the operations standards of correctional facilities which is inconsistent with the mission of the contractor to establish cost-effective, privately operated correctional facilities. The *Department of Management Services* ~~Florida Corrections Commission~~ shall be responsible for considering all proposals from the contractor to waive any rule, policy, or procedure and shall render a final decision granting or denying such request.

Section 4. Subsection (5) of section 957.07, Florida Statutes, is amended to read:

957.07 Cost-saving requirements.—

(5)(a) *At the request of the Speaker of the House of Representatives or the President of the Senate* ~~By February 1 each year~~, the Prison Per-Diem Workgroup shall develop consensus per diem rates *for use by the Legislature* ~~to be used when determining per diem rates of privately operated prisons~~. The Office of Program Policy Analysis and Government Accountability~~, the Office of the Auditor General,~~ and the staffs of the appropriations committees of both the Senate and the House of Representatives are the principals of the workgroup. The workgroup may consult with other experts to assist in the development of the consensus per diem rates. All meetings of the workgroup shall be open to the public as provided in chapter 286.

(b) When developing the consensus per diem rates, the workgroup must:

1. Use data provided by the Department of Corrections from the most recent fiscal year to determine per diem costs for the following activities:

a. Custody and control;

b. Health services;

c. Substance abuse programs; and

d. Educational programs;

2. Include the cost of departmental, regional, institutional, and program administration *and any other fixed costs of the department*;

3. Calculate average per diem rates for the following offender populations: adult male, youthful offender male, and female; and

4. Make per diem adjustments, as appropriate, to account for variations in size and location of correctional facilities.

(c) ~~It is the intent of the Legislature that~~ The consensus per diem rates determined by the workgroup *may* ~~shall~~ be used to *assist the Legislature in determining* ~~determine~~ the level of funding provided to privately operated prisons *to meet the*~~, which must reflect at least a~~ 7-percent savings *required of private prisons by this chapter* ~~when compared to the Department of Corrections~~.

(d) If a private vendor chooses not to renew the contract at the appropriated level, the Department of Management Services shall terminate the contract as provided in s. 957.14.

~~(e) This subsection supersedes the proviso language immediately following Specific Appropriation 570 in the Conference Report on CS for SB 2-C.~~

Section 5. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; abolishing the Florida Corrections Commission; amending s. 944.8041, F.S.; requiring the Department of Corrections, in lieu of the commission, to submit an annual report on certain elderly offenders; amending s. 957.04, F.S.; requiring the Department of Management Services, in lieu of the commission, to consider proposed waivers of rules, policies, and procedures of the Department of Corrections for contractors of private correctional facilities; amending s. 957.07, F.S.; revising the membership of the Prison Per-Diem Workgroup; revising meeting requirements of the workgroup; revising information to be included in the consensus per diem rates developed by the workgroup; revising use of the per diem rates developed by the workgroup; eliminating a provision that s. 957.07(5), F.S., supersedes certain proviso language in the Conference Report on CS for SB 2-C, ch. 2001-367, Laws of Florida; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **HB 5017** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5019, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5019

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5019, same being:

An act relating to juvenile justice funding; including specified law enforcement officers in the definition of "other person responsible for a child's welfare" for purposes of abuse investigations; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and the Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Martin Lee Anderson Act of 2006."*

Section 2. Subsection (47) of section 39.01, Florida Statutes, is amended to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(47) "Other person responsible for a child's welfare" includes the child's legal guardian, legal custodian, or foster parent; an employee of a private school, public or private child day care center, residential home, institution, facility, or agency; *a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice;* or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or relative entrusted with a child's care. For the purpose of departmental investigative jurisdiction, this definition does not include *the following persons when they are acting in an official capacity:* law enforcement officers, *except as otherwise provided in this subsection;* ~~or~~ employees of municipal or county detention facilities*;* or *employees of* the Department of Corrections~~, while acting in an official capacity~~.

Section 3. Paragraph (b) of subsection (2) of section 985.2155, Florida Statutes, is amended to read:

985.2155 Shared county and state responsibility for juvenile detention.—

(2) As used in this section, the term:

(b) "Fiscally constrained county" means a county *within* ~~designated as~~ a rural area of critical economic concern *as designated by the Governor pursuant to* ~~under~~ s. 288.0656 *or each county* for which the value of a mill *will raise* ~~in the county is~~ no more than *$5 million in revenue* ~~$3 million~~, based on the *certified school taxable value from the previous July 1* ~~property valuations and tax data annually published by the Department of Revenue under s. 195.052~~.

Section 4. Paragraph (j) of subsection (1) of section 985.231, Florida Statutes, is amended to read:

985.231 Powers of disposition in delinquency cases.—

(1)

(j) If the offense committed by the child was grand theft of a motor vehicle, the court:

1. Upon a first adjudication for a grand theft of a motor vehicle, may place the *child* ~~youth~~ in a *sheriff's training and respect program* ~~boot camp~~, unless the child is ineligible *under s. 985.3091* ~~pursuant to s. 985.309~~, and shall order the *child* ~~youth~~ to complete a minimum of 50 hours of community service.

2. Upon a second adjudication for grand theft of a motor vehicle which is separate and unrelated to the previous adjudication, may place the *child* ~~youth~~ in a *sheriff's training and respect program* ~~boot camp~~, unless the child is ineligible *under s. 985.3091* ~~pursuant to s. 985.309~~, and shall order the *child* ~~youth~~ to complete a minimum of 100 hours of community service.

3. Upon a third adjudication for grand theft of a motor vehicle which is separate and unrelated to the previous adjudications, shall place the *child* ~~youth~~ in a *sheriff's training and respect program* ~~boot camp~~ or other treatment program, unless the child is ineligible *under s. 985.3091* ~~pursuant to s. 985.309~~, and shall order the *child* ~~youth~~ to complete a minimum of 250 hours of community service.

Section 5. *Section 985.309, Florida Statutes, is repealed.*

Section 6. Section 985.3091, Florida Statutes, is created to read:

985.3091 Sheriff's training and respect programs.—

(1)(a) For purposes of this section, the term "agency" means a county or municipal law enforcement agency.

(b) Contingent upon specific appropriation, local funding, or specific appropriation and local funding, an agency may, under contract with the department, implement and operate a sheriff's training and respect program to provide intensive education, physical training, and rehabilitation for children who are eligible under subsection (2). A sheriff's training and respect program shall be under the agency's supervisory authority as determined by the contract between the department and the agency.

(2) A child is eligible for placement in a sheriff's training and respect program if he or she:

(a) Is at least 14 years of age but less than 18 years of age at the time of adjudication.

(b) Has been committed to the department for any offense that, if committed by an adult, would be a felony other than a capital felony, a life felony, or a violent felony of the first degree.

(c) Is physically examined by a physician licensed under chapter 458 or chapter 459 or an advanced registered nurse practitioner licensed and certified under chapter 464.

(d) Has a physical, psychological, and substance abuse profile that is conducive to successful completion of the program, as determined by the agency's and department's review of the preadmission physical examination under paragraph (c) and of preadmission psychological and substance abuse screenings, which must be conducted or ordered to be conducted by the department.

(e) Will be placed in the judicial circuit in which the child was adjudicated or, if there is no sheriff's training and respect program in that judicial circuit, the child may be placed in the judicial circuit nearest to the judicial circuit in which he or she was adjudicated which has a sheriff's training and respect program.

(3) A sheriff's training and respect program shall require children to:

(a) Receive a written, easily understandable statement that sets forth, and a verbal description of, their rights under this section. At the time of admission into the sheriff's training and respect program, each child must acknowledge in writing his or her receipt and understanding of the written statement and verbal description.

(b) Participate in physical training exercises.

(c) Complete educational, vocational, community service, and substance abuse programs.

(d) Receive training in life and job skills and in techniques for appropriate decisionmaking.

(e) Receive counseling that is directed at replacing criminal thinking, beliefs, and values with moral thinking, beliefs, and values.

(4) A sheriff's training and respect program must provide for youth medical treatment needs by a physician licensed under chapter 458 or chapter 459, an advanced registered nurse practitioner licensed and certified under chapter 464, or a registered nurse licensed under chapter 464 who works daily between the hours of 7:00 a.m. and 9:00 p.m. and must provide for on-call access to at least one such medical professional at all other times.

(5) A sheriff's training and respect program shall be a moderate-risk residential program and must provide conditional release assessment and services in accordance with s. 985.316. The minimum period of participation in the residential component of a sheriff's training and respect program is 4 months; however, this subsection does not prohibit operation of a program that requires the participants to spend more than 4 months in the residential component of the program or that requires the participants to complete two sequential programs of 4 months each in the residential component of the program.

(6) Staff in a sheriff's training and respect program who exercise direct care, as defined in s. 985.4055, shall comply with the Protective Action Response policy established in department rules adopted under s. 985.4055(2)(a).

(7) The department shall adopt rules under ss. 120.536(1) and 120.54 for the sheriff's training and respect program that specify:

(a) Requirements for the preadmission physical examinations and psychological and substance abuse screenings required by subsection (2).

(b) Authorized disciplinary sanctions and restrictions on the privileges of the general population of children in the program.

(c) Prohibitions on the use of harmful psychological intimidation techniques. For purposes of this section, the term "harmful psychological intimidation techniques":

1. Includes the following actions when intentionally used as a therapeutic or training technique or as a means to encourage compliance with program requirements:

a. The threat of physical force or violence.

b. An intentional attempt to humiliate or embarrass a child.

c. An intentional attempt to diminish a child's self-confidence or otherwise psychologically break a child's will.

d. Any action that would be considered child abuse or neglect under chapter 39 or chapter 827.

2. Does not include the following actions:

a. Direct and forceful communication to a child of program requirements or legitimate performance expectations prior to or during participation in program activities, including positive, active encouragement of children engaged in physical training exercises.

b. Communication necessary to inform a child of noncompliance with program requirements or appropriate actions to remediate such noncompliance.

c. Communication necessary to inform a child of poor performance or appropriate actions to remediate such poor performance.

d. Communications or other actions necessary to maintain order or safety in a program.

e. Any lawful and reasonable communications or actions that are permissible for parents, other juvenile justice programs, school officials, or other adults who have custody of or supervisory responsibilities for children.

(d) Requirements for provision of notice by the program to the department and for the removal of a child from the program if the child becomes unmanageable or ineligible for the program due to changes in his or her physical, psychological, or substance abuse profile.

(e) Requirements for the prominent display of the telephone number of the statewide abuse registry and for immediate access by children in the program, upon request, to a telephone for the purpose of contacting the statewide abuse registry, the public defender's office, his or her attorney, or a law enforcement agency.

(f) Requirements for the delivery of a copy of each child's exit statement under subsection (10) to the department by facsimile or electronic mail.

(8)(a) Evaluations under s. 985.412(5) of each sheriff's training and respect program shall be conducted quarterly during the first year of the program's operation. Thereafter, if the program met the minimum thresholds during its most recent evaluation, the program shall be evaluated at least once annually. If a sheriff's training and respect program fails to meet the minimum thresholds, the department shall cancel the contract for the program:

1. Immediately if the program has a deficiency in a critical life safety aspect of its operations, as defined in department rule, or has failed to train its staff as required under subsection (9).

2. If the program fails to achieve compliance with the minimum thresholds within 3 months, unless there are documented extenuating circumstances, as defined in department rule.

(b) Upon cancellation of a contract under paragraph (a), the program's operations shall immediately cease and the department shall immediately discontinue any state payments to the program.

(9)(a) The department shall adopt rules under ss. 120.536(1) and 120.54 that establish training requirements that must be completed by staff in a sheriff's training and respect program within 90 calendar days following the person's date of hire, and that must, at a minimum, require:

1. Administrative staff to successfully complete 120 contact hours of department-approved training.

2. Staff who provide direct care, as defined in s. 985.4055 to be:

a. Certified correctional, correctional probation, or law enforcement officers under chapter 943 and to receive at least 20 hours of department-

approved training in the Protective Action Response policy established in department rules adopted under s. 985.4055(2)(a); or

b. Certified in protective action response under s. 985.4055(2)(b)-(e) and to successfully complete 200 contact hours of department-approved training, which must include, but is not limited to, training on:

(I) State and federal laws relating to child abuse.

(II) Authorized disciplinary sanctions and privilege restrictions under paragraph (7)(b) and prohibited harmful psychological intimidation techniques under paragraph (7)(c).

(III) Appropriate counseling techniques and aggression control methods.

(IV) Appropriate methods for dealing with children who have been placed in programs that emphasize physical fitness and personal discipline, including training on the identification of, and appropriate responses to, children who are experiencing physical or mental distress.

(V) Cardiopulmonary resuscitation, choke-relief, and other emergency medical procedures.

(b) All department-approved training courses under this subsection must be taught by one or more persons who are certified as, or who have completed the necessary education and training to be, an instructor for the course being taught. A training course in counseling techniques must be taught by a person who has at least a bachelor's degree in social work, counseling, psychology, or a related field.

(c) A person who exercises direct care, as defined in s. 985.4055, in a sheriff's training and respect program prior to successful completion of the training requirements in this subsection must be directly supervised by a person who has successfully completed the training requirements in this subsection.

(10) Prior to release of a child from a sheriff's training and respect program, the child:

(a) Must be physically examined by a physician licensed under chapter 458 or chapter 459 or an advanced registered nurse practitioner licensed and certified under chapter 464. Any evidence of abuse as defined in s. 39.01(2) must be documented and immediately reported by the examiner to the statewide abuse registry and the department.

(b) Must sign an exit statement indicating whether his or her rights under this section were observed and whether he or she was subjected to any abuse as defined in s. 39.01(2), harmful psychological intimidation techniques, or violations of the Protective Action Response policy established in department rules adopted under s. 985.4055(2)(a). Any allegation by the child that:

1. He or she was subjected to abuse as defined in s. 39.01(2) in the sheriff's training and respect program must be investigated by the Department of Children and Family Services under s. 39.302.

2. His or her rights under this section were not observed or that he or she was subjected to harmful psychological intimidation techniques or to violations of the department's Protective Action Response policy must be investigated by the department's Inspector General.

(c) The sheriff's training and respect program shall deliver a copy of each child's exit statement at the time it is executed to:

1. The department in the manner prescribed under paragraph (7)(f).

2. The statewide abuse registry if it contains any allegation of abuse as defined in s. 39.01(2).

(11) The department must:

(a) Maintain records for each sheriff's training and respect program participant and shall monitor his or her recidivism, educational progress, and employment placement for at least 1 year following his or her release from the program. Recidivism statistics shall indicate the degree and severity of the criminal activity.

(b) Annually publish an outcome evaluation study of each sheriff's training and respect program that includes recidivism statistics.

(12) Children shall not be admitted to a sheriff's training and respect program until the department has adopted the rules required by this section and has verified that each program is in compliance with all laws and rules applicable to the program. The department may adopt emergency rules pursuant to s. 120.54(4) if necessary to allow operation of sheriff's training and respect programs beginning July 1, 2006.

Section 7. Paragraph (i) of subsection (3) of section 985.311, Florida Statutes, is amended to read:

985.311 Intensive residential treatment program for offenders less than 13 years of age.—

(3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND TREATMENT.—

(i) The treatment and placement recommendations shall be submitted to the court for further action pursuant to this paragraph:

1. If it is recommended that placement in an intensive residential treatment program for offenders less than 13 years of age is inappropriate, the court shall make an alternative disposition pursuant to s. *985.3091* ~~985.309~~ or other alternative sentencing as applicable, utilizing the recommendation as a guide.

2. If it is recommended that placement in an intensive residential treatment program for offenders less than 13 years of age is appropriate, the court may commit the child to the department for placement in the restrictiveness level designated for intensive residential treatment program for offenders less than 13 years of age.

Section 8. Section 985.4055, Florida Statutes, is created to read:

985.4055 Protective action response.—

(1) For purposes of this section, the term:

(a) "Direct care" means direct contact with youth for the purpose of providing care, supervision, custody, or control of youth in a detention facility, delinquency program, or commitment program within any restrictiveness level, which is operated by the department or by a provider under contract with the department.

(b) "Employee" means any person who exercises direct care. The term "employee" does not include a licensed medical professional, mental health counselor, substance abuse counselor, or social services counselor whose primary responsibilities are to provide treatment to youth in a detention facility, delinquency program, or commitment program within any restrictiveness level, which is operated by the department or by a provider under contract with the department.

(c) "Protective Action Response policy" means the policy governing the use of verbal and physical intervention techniques, mechanical restraints, aerosol and chemical agents, and Tasers by employees.

(d) "Taser" means any mechanism that is designed to emit or project an electronic, magnetic, or other type of charge or shock for the purpose of temporarily incapacitating a person.

(2) The department shall adopt rules under ss. 120.536(1) and 120.54 that:

(a) Establish a Protective Action Response policy that:

1. Defines the authorized level of response by an employee to each level of verbal or physical resistance by a youth.

2. Requires the use of verbal intervention techniques as the initial response by an employee to verbal or physical resistance by a youth, except where physical intervention techniques are necessary to prevent:

a. Physical harm to the youth, employee, or another person;

b. Property damage; or

c. The youth from escaping or absconding from lawful supervision.

3. Defines authorized physical intervention techniques and the situations under which employees may use these techniques for youth. Pain compliance techniques and use of less than lethal force shall be prohibited, except where necessary to prevent:

a. Physical harm to the youth, employee, or another person;

b. Property damage; or

c. The youth from escaping or absconding from lawful supervision.

Lethal force shall be prohibited, except where necessary to protect the employee or another person from an imminent threat of great bodily harm or death. Prior authorization by an employee's supervisor for the use of physical intervention techniques shall be obtained when practical.

4. Defines authorized use of mechanical restraints and the situations under which employees may use such restraints on youth. Prohibited uses of mechanical restraints shall include the use of neck restraints and the securing of a youth to a fixed object. Supervision requirements for youth who are secured in mechanical restraints shall include constant and direct visual monitoring by an employee for purposes of ensuring youth safety and ascertaining indications by the youth that restraints are no longer necessary. Prior authorization by an employee's supervisor for the use of mechanical restraints shall be obtained when practical.

5. Prohibits the use of aerosol or chemical agents, including, but not limited to, oleoresin capsicum spray and ammonia capsules, on a youth unless required for medical treatment of the youth by a licensed medical professional.

6. Prohibits the use of a Taser on a youth.

(b) Establish training curriculums for protective action response certification of employees and instructors. The training curriculum for employee certification shall, at a minimum, require the employee to:

1. Complete instruction on the Protective Action Response policy.

2. Obtain a passing score:

a. On a written examination that tests the employee's knowledge and understanding of the Protective Action Response policy.

b. During an evaluation by an instructor of the employee's physically demonstrated ability to implement the Protective Action Response policy.

(c) Require training curriculums for protective action response certification of employees to be taught by instructors who have been certified under the training curriculum for protective action response certification of instructors.

(d) Except as provided in s. 985.3091(9) for specified certified officers, require each employee who was not certified by the department in protective action response prior to July 1, 2006, to receive his or her protective action response certification by September 30, 2006, or within 90 calendar days following his or her date of hire, whichever date is later.

(e) Require any employee who exercises direct care prior to receiving his or her protective action response certification to be directly supervised by an employee who has received his or her protective action response certification.

Section 9. Section 958.046, Florida Statutes, is amended to read:

958.046 Placement in county-operated boot camp programs for youthful offenders.—In counties where there are county-operated youthful offender boot camp programs, other than boot camps described in s. 958.04 or *sheriff's training and respect programs in* s. *985.3091* ~~985.309~~, the court may sentence a youthful offender to such a boot camp. In county-operated youthful offender boot camp programs, juvenile offenders shall not be commingled with youthful offenders.

Section 10. Paragraph (i) of subsection (3) of section 985.31, Florida Statutes, is amended to read:

985.31 Serious or habitual juvenile offender.—

(3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND TREATMENT.—

(i) The treatment and placement recommendations shall be submitted to the court for further action pursuant to this paragraph:

1. If it is recommended that placement in a serious or habitual juvenile offender program or facility is inappropriate, the court shall make an alternative disposition pursuant to s. *985.3091* ~~985.309~~ or other alternative sentencing as applicable, *using* ~~utilizing~~ the recommendation as a guide.

2. If it is recommended that placement in a serious or habitual juvenile offender program or facility is appropriate, the court may commit the child to the department for placement in the restrictiveness level designated for serious or habitual delinquent children programs.

Section 11. Section 985.314, Florida Statutes, is amended to read:

985.314 Commitment programs for juvenile felony offenders.—

(1) Notwithstanding any other law and regardless of the child's age, a child who is adjudicated delinquent, or for whom adjudication is withheld, for an act that would be a felony if committed by an adult, shall be committed to:

(a) A *sheriff's training and respect* ~~boot camp~~ program under s. *985.3091* ~~985.309~~ if the child has participated in an early delinquency intervention program as provided in s. 985.305.

(b) A program for serious or habitual juvenile offenders under s. 985.31 or an intensive residential treatment program for offenders less than 13 years of age under s. 985.311, if the child has participated in an early delinquency intervention program and has completed a *sheriff's training and respect* ~~boot camp~~ program.

(c) A maximum-risk residential program, if the child has participated in an early delinquency intervention program, has completed a *sheriff's training and respect* ~~boot camp~~ program, and has completed a program for serious or habitual juvenile offenders or an intensive residential treatment program for offenders less than 13 years of age. The commitment of a child to a maximum-risk residential program must be for an indeterminate period, but may not exceed the maximum term of imprisonment that an adult may serve for the same offense.

(2) In committing a child to the appropriate program, the court may consider an equivalent program of similar intensity as being comparable to a program required under subsection (1).

Section 12. *Cost of supervision and care waiver; pilot program.—*

(1) For purposes of this section, the term:

(a) "Approved parenting class" means a class approved by the department under subsection (4).

(b) "Court" means a circuit court in the Fourth or Eleventh Judicial Circuits.

(c) "Department" means the Department of Juvenile Justice.

(d) "Parent" means a parent, as defined in s. 985.2311(13), Florida Statutes, whose child's delinquency case comes before a circuit court in the Fourth or Eleventh Judicial Circuit.

(2)(a) Notwithstanding any contrary provision of s. 985.2311, Florida Statutes, for the period of October 1, 2006, through June 30, 2009, the court shall enter an order waiving the fees required to be paid under s. 985.2311, Florida Statutes, by a parent if the parent successfully completes an approved parenting class and presents the court with notarized documentation of such completion.

(b) Participation in an approved parenting class under this subsection is voluntary and the parent is responsible for the payment of all costs associated with participation in the class.

(c) A parent who fails to successfully complete an approved parenting class shall pay the full amount of fees required by s. 985.2311, Florida Statutes.

(d) A parent may only have fees waived under this subsection once.

(3) The Office of Program Policy and Government Accountability shall evaluate the pilot program created by this section and shall submit a written report to the appropriate substantive and fiscal committees of the Legislature, the Governor, and the Department of Juvenile Justice on September 30, 2007, and annually thereafter, which identifies for the

Fourth and Eleventh Judicial Circuits during the fiscal year preceding the report:

(a) The number of delinquency cases in which fees were required to be ordered under s. 985.2311, Florida Statutes, and the total amount of those fees.

(b) The number of delinquency cases in which parents agreed to complete an approved parenting class and the number of delinquency cases in which the parent submitted notarized documentation of successful completion to the court.

(c) The number of delinquency cases in which the court entered an order waiving fees under subsection (2) and the total amount of fees waived.

(d) The number of youth, as such data becomes available, who are taken into custody for a felony or misdemeanor within 6 months following their release from department custody or supervision, whichever occurs later, and whose parents' fees under s. 985.2311, Florida Statutes, are:

1. Waived by court order under subsection (2).

2. Not waived by court order under subsection (2).

(4) The department shall contract or otherwise arrange for the provision of parenting courses in the Fourth and Eleventh Judicial Circuits between October 1, 2006, through June 30, 2009.

(5) This section is repealed October 1, 2009.

Section 13. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to juvenile justice; providing a short title; amending s. 39.01, F.S.; including specified law enforcement officers in the definition of "other person responsible for a child's welfare" for purposes of abuse investigations; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" for purposes of determining state payment of costs of juvenile detention care; amending s. 985.231, F.S.; conforming cross-references; repealing s. 985.309, F.S., relating to boot camps for children; creating s. 985.3091, F.S.; authorizing the department to contract with a county or municipal law enforcement agency for sheriff's training and respect programs; providing eligibility requirements for children placed in the programs; specifying required program offerings; specifying program participation time frames; requiring a physician or nurse to provide youth medical treatment during specified hours; requiring compliance with the Protective Action Response policy; requiring the department to adopt rules on specified subjects; defining and prohibiting "harmful psychological intimidation techniques"; providing for evaluations and contract cancellation under specified circumstances; specifying staff training requirements; requiring the department to adopt training rules; requiring specified supervision for staff who provide direct care prior to compliance with training requirements; requiring the completion of exit physical examinations of, and exit statements by, youth upon release from the program; requiring investigations under specified circumstances; requiring the department to maintain specified records and complete an annual report; prohibiting the operation of a program until department rules are adopted and the department has verified program compliance with applicable law and rules; authorizing emergency rules to expedite implementation; amending s. 985.311, F.S.; conforming a cross-reference; creating s. 985.4055, F.S.; providing definitions; requiring the department to adopt rules establishing a Protective Action Response policy; specifying when verbal and physical intervention techniques may be used; specifying prohibited uses of mechanical restraints; prohibiting use of aerosol and chemical agents and Tasers; requiring the department to adopt rules establishing protection action response training curriculums and certification procedures; requiring department and provider direct care employees to be certified in protective action response within specified time frames and to be supervised prior to certification; amending ss. 958.046, 985.31, and 985.314, F.S.; conforming cross-references and terminology; creating the cost of supervision and care waiver pilot program in the Fourth and Eleventh Judicial Circuits; providing definitions; requiring waiver of fees imposed under s. 985.2311, F.S., for successful completion of specified parenting classes; providing conditions applicable to such waiver; providing for review of the pilot program and reports by the Office of Program Policy and Government Accountability; requiring the department to contract or otherwise arrange for the provision of parenting classes; providing for future repeal; providing an effective date.

The Conference Committee Report was read and on motion by Senator Smith was adopted. **HB 5019** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5021, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5021

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5021, same being:

An act relating to sexually violent predators; providing that a trial in a proceeding to commit a sexually violent predator may be continued once if specified conditions are met; providing that no additional continuances may be granted unless a court finds that a manifest injustice would occur; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and the Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta

s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/Rod Smith
s/Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
s/David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
Don Davis.
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (2) of section 394.916, Florida Statutes, is amended to read:

394.916 Trial; counsel and experts; indigent persons; jury.—

(2) The trial may be continued *once* upon the request of either party *for not more than 120 days upon* ~~and~~ a showing of good cause, or by the court on its own motion in the interests of justice, when the person will not be substantially prejudiced. *No additional continuances may be granted unless the court finds that a manifest injustice would otherwise occur.*

Section 2. Section 394.932, Florida Statutes, is created to read:

394.932 Registry of experts.—The Justice Administrative Commission shall maintain a registry of mental health and other experts who are available and willing to provide examinations and expert testimony in proceedings held under this part. The commission shall advertise the registry in professional trade publications on a periodic basis and shall list the name and contact information for all persons holding themselves out to be qualified to provide examinations and expert testimony pursuant to this part upon request. It shall be the sole responsibility of parties using the services of a person listed on the registry to verify the qualifications of that person. The commission shall advise all parties that use the registry that it has not verified the professional qualifications of the persons listed on the registry and that it is the party's responsibility to verify the person's professional qualifications. The commission may electronically publish the names and contact information of persons requesting to be listed on the registry.

Section 3. This act shall take effect July 1, 2006.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to sexually violent predators; amending s. 394.916, F.S.; providing that a trial in a proceeding to commit a sexually violent predator may be continued once if specified conditions are met; providing that no additional continuances may be granted unless a court finds that a manifest injustice would occur; creating s. 394.932, F.S.; requiring the Justice Administrative Commission to maintain a registry of mental health and other experts; providing for advertising of the registry; requiring the commission to advise registry users that it is their responsibility to verify a listed person's qualifications; providing for electronic publication; providing an effective date.

The Conference Committee Report was read and on motion by Senator Villalobos was adopted. **HB 5021** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

Vote after roll call:

Yea—Baker

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 142, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for CS for SB 142—A bill to be entitled An act relating to communications; amending s. 364.051, F.S., relating to price regulation; allowing a telecommunications company to publicly publish price lists for nonbasic services; providing guidelines for such publication; allowing 1 day's notice for price changes to nonbasic services; deleting a company's option to elect that its basic services be treated as nonbasic services; requiring a company to request that the Public Service Commission lessen its service quality regulation; providing criteria for granting a petition to change regulatory treatment of retail services; amending s. 364.025, F.S.; providing definitions; providing that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property under certain circumstances; requiring the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; providing for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; providing for carrier of last resort obligation to apply when specified conditions cease to exist; providing for effect of the act on the commission's jurisdiction; amending s. 350.0611, F.S.; providing additional authority to the Public Counsel, including the authority to provide legal representation to, and to appear on behalf of, the state and its political subdivisions as consumers of communications

services and utility services, to receive, investigate, and take legal action upon complaints involving communications services not within the jurisdiction of the Public Service Commission, to appear before state and federal agencies to enhance terms and conditions of utility and communications services, and to analyze and report on pending legislation relevant to utility and communications services; providing appropriations; providing an effective date.

House Amendment 1 (237919)(with title amendment)—

On page 9, line 16 through page 12, line 14, remove all of said lines.

And the title is amended as follows:

On page 2, line(s) 2-17, remove all of said lines and insert: providing an effective date.

On motion by Senator Fasano, the Senate refused to concur in the House amendment to **CS for CS for SB 142** and the House was requested to recede. The action of the Senate was certified to the House.

By direction of the President the following Conference Committee Report was read:

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5023, as amended by the Conference Committee Report.

John B. Phelps, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5023

The Honorable Tom Lee May 4, 2006
President of the Senate

The Honorable Allan Bense
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5023, same being:

An act relating to state employment; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; etc.

Having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the House and Senate adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Vice Chair
s/Nancy Argenziano
s/Michael S. "Mike" Bennett
s/Charlie Clary
s/Victor D. Crist
s/Paula Dockery
s/Rudy Garcia
s/Dennis L. Jones
Ron Klein
Evelyn J. Lynn
s/Lesley "Les" Miller, Jr.
s/Ken Pruitt
s/Burt L. Saunders
s/Gary Siplin
s/J. Alex Villalobos
s/Frederica S. Wilson
s/JD Alexander
s/Dave Aronberg
s/Carey Baker
Larcenia J. Bullard
s/Lee Constantine
M. Mandy Dawson
s/Mike Fasano
s/Anthony C. "Tony" Hill, Sr.
s/James E. "Jim" King, Jr.
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan Rich
s/Jim Sebesta
s/Rod Smith
Daniel Webster
s/Stephen R. Wise

Managers on the part of the Senate

s/Joe Negron
Chair
s/Bob Allen
s/Rafael Arza
s/Sandra "Sandy" Adams
s/Thad Altman
s/Kevin C. Ambler
Frank Attkisson
s/Loranne Ausley
s/Dennis K. Baxley
s/Dorothy Bendross-Mindingall
s/Kim Berfield
s/Marsha L. "Marty" Bowen
s/Frederick C. "Fred" Brummer
s/Jennifer Carroll
s/Joyce Cusack
s/Greg Evers
s/Anitere Flores
s/Anne M. "Annie" Gannon
Andy Gardiner
s/Hugh H. Gibson
s/Michael J. Grant
s/Denise Grimsley
s/Wilbert "Tee" Holloway
s/Edward L. "Ed" Jennings
s/Charlie Justice
s/Jeffrey D. "Jeff" Kottkamp
Paige Kreegel
s/Marcelo Llorente
s/Richard A. Machek
s/Stan Mayfield
David J. Mealor
s/Mitch Needelman
s/Joe H. Pickens
s/Ralph Poppell
s/John "Q" Quinones
s/Curtis B. Richardson
s/Yolly Roberson
Marco Rubio
Ray Sansom
David Simmons
s/Dwight Stansel
s/Priscilla Taylor
s/Shelley Vanna
Trudi K. Williams
s/Gustavo A. Barreiro
s/Aaron P. Bean
s/Anna Holliday "Holly" Benson
s/Ellyn Setnor Bogdanoff
Donald D. "Don" Brown
s/Dean Cannon
Marti Coley
s/Don Davis
s/Frank Farkas
Bill Galvano
Rene Garcia
s/Dan Gelber
J. Dudley Goodlette
s/Ron L. Greenstein
s/D. Alan Hays
s/Dorothy L. Hukill
s/Arthenia L. Joyner
s/Will S. Kendrick
s/Dick Kravitz
Kenneth W. "Ken" Littlefield
Carlos Lopez-Cantera
s/Mark Mahon
s/Sheri McInvale
s/Dave Murzin
Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Ari Abraham Porth
s/Ron Reagan
David Rivera
Dennis A. Ross
s/Timothy M. "Tim" Ryan
John P. Jack "Jack" Seiler
s/Eleanor Sobel
John K. Stargel
Anthony Trey Traviesa
s/Leslie Waters
s/Juan C. Zapata

Managers on the part of the House of Representatives

Conference Committee Amendment (with title amendment)— Remove everything after the enacting clause and insert:

Section 1. *(1) Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association regarding Article 13 "Health and Welfare," Article 20 "Training and Education," and Article 23 "Hours of Work and Overtime" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(2) Collective bargaining issues at impasse between the State of Florida and the State Employees Attorneys Guild shall be resolved as follows:

(a) All collective bargaining issues at impasse regarding Article 7 "Employee Standards of Conduct and Performance," Article 11 "Classification Review and Professional Practice Scope," and Article 22 "Prevailing Rights" shall be resolved pursuant to the state's last offer.

(b) All collective bargaining issues at impasse regarding Article 8 "Workforce Reduction" shall be resolved pursuant to the state's last offer relating to "Section 1 Work Force Reduction" only.

(c) All collective bargaining issues at impasse regarding Article 10 "Classification and Pay Plan" shall be resolved consistent with the consensus proposal on paragraphs A through E and a modified paragraph "F" reading, "Any salary adjustment shall be consistent with the Special Pay Increase criteria as set forth in the personnel rules. The Union shall be notified, in writing, of any salary increase."

(3) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists for Selected Exempt Service Supervisory Non-Professional Unit employees regarding Article 7 "Employee Standards of Conduct and Performance," Article 9 "Reassignment, Transfer, Change in Duty Station," and Article 14 "Review and Performance Evaluations" shall be resolved pursuant to the state's last offer.

(4) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists for Selected Exempt Service Physicians Unit employees shall be resolved as follows:

(a) All collective bargaining issues at impasse regarding Article 7 "Employee Standards of Conduct and Performance" shall be resolved pursuant to the state's last offer.

(b) All collective bargaining issues at impasse regarding Article 10 "Classification and Pay Plan" shall be resolved pursuant to the union's proposal on February 14, 2006, regarding notification of certain agency actions.

(5) Collective bargaining issues at impasse between the State of Florida and the International Union of Police Associations for Law Enforcement Bargaining Unit employees shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(6) Collective bargaining issues at impasse between the State of Florida and the American Federation of State, County, and Municipal Employees, Council 79, regarding Article 7 "Discipline and Discharge" shall be resolved pursuant to the state's last offer on Sections 1 and 2, and consistent with the state's last offer on Section 3, modified to address the "level of discipline".

(7) All other mandatory collective bargaining issues at impasse for the 2006-2007 fiscal year which are not addressed by this act or the General Appropriations Act for the 2006-2007 fiscal year shall be resolved consistent with the personnel rules in effect on May 1, 2006, and by otherwise maintaining the status quo under the language of the current collective bargaining agreements.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state employment; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5023** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

MOTION

On motion by Senator Miller, the rules were waived and time of recess was extended beyond the hour of 7:00 p.m.

RECESS

The President declared the Senate in recess at 6:50 p.m. to reconvene at 7:30 p.m. or upon call of the President.

EVENING SESSION

The Senate was called to order by the President at 10:21 p.m. A quorum present—38:

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker
Bennett	Haridopolos	Pruitt
Campbell	Hill	Rich
Carlton	Jones	Saunders
Clary	King	Sebesta
Constantine	Klein	Siplin
Crist	Lawson	Smith
Diaz de la Portilla	Lynn	Villalobos
Dockery	Margolis	Webster
Fasano	Miller	Wilson
Garcia	Peaden	Wise
Geller	Posey	

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for SB 1980—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; redefining the term "losses"; revising certain reimbursement contract criteria; revising certain reimbursement premium requirements; deleting a requirement that bonds be validated; revising certain revenue bond emergency assessment requirements; specifying premiums that are subject to assessment; revising the date on which the exemption of medical malpractice premiums from emergency assessments is repealed; creating s. 215.558, F.S.; creating the Home Retrofit Hardening Program; providing eligibility criteria and guidelines for awarding funds under the program; providing limits on grant amounts and on administrative expenses; creating s. 215.5586, F.S.; providing a purpose; requiring the Department of Community Affairs to establish a wind certification and hurricane mitigation inspection program; specifying inspection requirements; providing qualification requirements for inspection providers; requiring the department to adopt rules; amending s. 193.155, F.S.; providing that certain changes made to homestead property for hurricane damage mitigation do not increase the assessed value of the property; creating s. 252.63, F.S.; providing purpose and intent; providing powers of the Commissioner of Insurance Regulation during a state of emergency; authorizing the commissioner to issue certain orders in a state of emergency; providing for effect and duration of such orders; providing for legislative termination of such orders; requiring the commissioner to publish such orders and an explanatory statement; prescribing additional duties of the commissioner with respect to mitigation of consequences of emergencies; amending s. 626.918, F.S.; authorizing certain letters of credit to fund a surplus lines insurer's required policyholder protection trust fund; defining the term "qualified United States financial institution"; amending s. 627.062, F.S.; requiring the chief executive officer and the chief financial officer of each property insurer, or its certified public accountant acting on its behalf, to sign a statement of certification, sworn under oath, to accompany the rate filing; revising factors to be used in reviewing rate filings; providing that, in considering a rate filing, the burden is on the Office of Insurance Regulation to establish that costs of reinsurance are excessive; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.06281, F.S.; requiring the public hurricane loss-projection model to be submitted for review by the Florida Commission on Hurricane Loss Projection Methodology; allowing the Office of Insurance Regulation to use the public model until the commission determines that the public model is not accurate or reliable; amending s. 627.351, F.S.; providing that certain responsibilities of the Office of Insurance Regulation with respect to the plan of operation of Citizens Property Insurance Corporation be assumed by the Financial Services Commission; defining the terms "homestead property" and "nonhomestead property" for use with respect to Citizens Property Insurance Corporation; limiting eligibility for personal lines coverage by the corporation; directing the corporation board to reduce or, with approval by necessary parties, restructure existing debt; requiring a report with respect thereto; providing for a reduction in aggregate amount of a regular assessment in certain circumstances; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; prescribing an additional surcharge on deficit assessments for certain nonhomestead property; providing for optional payment plans; requiring insurers to provide claims-adjusting services for certain wind coverage in certain circumstances; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees

of the corporation to sign annually a statement that they have no conflict of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers' representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a take-out bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing a rate surcharge for certain nonhomestead property and property valued at more than a certain amount; providing that rates for the corporation are not subject to the requirements for being noncompetitive if the Office of Insurance Regulation makes a certain determination; deleting provisions relating to appointment of a rate methodology panel; providing for use of the public hurricane loss-projection model in ratemaking; prescribing requirements for paying takeout bonuses or payments to insurers; requiring records of takeout bonuses or other payments for certain purposes; clarifying that debt obligations of the corporation are not subject to taxation; prohibiting the corporation and other persons from making certain filings under, or becoming a debtor under, the federal Bankruptcy Code; postponing the dates by which the boundaries of high-risk areas must be reduced; requiring a study of the viability of authorized insurers issuing and servicing, for a fee, certain high-risk insurance policies; requiring a report to legislative leaders; providing applicability of specified provisions relating to assessments and surcharges; amending s. 627.3511, F.S.; extending the period for which an insurer that assumes Citizens Property Insurance Corporation's obligations under a policy must renew the replacement policy; revising circumstances under which replacement is not required; amending s. 627.3517, F.S.; providing that an insurance risk apportionment plan policyholder's right to retain his or her current agent does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation; creating s. 627.3519, F.S.; requiring the Financial Services Commission to report annually to the Legislature on probable maximum losses, financing options, and assessment potentials of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; creating s. 627.6121, F.S.; prescribing circumstances under which an insurer must pay benefits to a primary policyholder of dual interest property; requiring mortgageholders and lienholders be given notice of such payment; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; providing that the section does not prohibit an insurer from limiting its liability concerning certain replacement costs; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; amending s. 627.706, F.S.; allowing for a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; providing for judicial review; amending s. 627.727, F.S.; conforming a cross-reference; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims related to the insolvency of an insurer; providing requirements; amending s. 631.54, F.S.; redefining the term "covered claim" and defining the term "homeowner's insurance" for purposes of the Florida Insurance Guaranty Association; amending s. 631.55, F.S.; conforming a cross-reference; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Office of Insurance Regulation to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; providing appropriations; requiring that an appropriation be transferred to Citizens Property Insurance Corporation to reduce the amount of the regular assessment for a specified deficit; requiring the corporation to notify assessable insurers of the amount by which assessments have been reduced; requiring insurers who recoup assessments to notify policyholders of the amount by which the surcharge has been reduced; providing penalties for a violation; defining terms; repealing s. 215.559(3), F.S.; deleting the requirement that the Department of Community Affairs develop a low-interest loan program for retrofitting homes; providing effective dates.

—which was previously considered this day.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senators Garcia and Alexander offered the following amendment which was moved by Senator Garcia:

Amendment 2 (335282)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective June 1, 2006, paragraph (d) of subsection (2), paragraphs (b), (c), and (d) of subsection (4), paragraph (b) of subsection (5), and paragraphs (a) and (b) of subsection (6) of section 215.555, Florida Statutes, are amended, and paragraph (e) is added to subsection (5) of that section, to read:

215.555 Florida Hurricane Catastrophe Fund.—

(2) DEFINITIONS.—As used in this section:

(d) "Losses" means direct incurred losses under covered policies, which shall include losses for additional living expenses not to exceed 40 percent of the insured value of a residential structure or its contents and shall exclude loss adjustment expenses. "Losses" does not include losses

for fair rental value, loss of *rent or rental income* ~~use~~, or business interruption losses.

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

4. Notwithstanding any other provision contained in this section, the board shall make available to insurers qualifying as limited apportionment companies under s. 627.351(6)(c) a contract or contract addendum that provides an additional amount of reimbursement coverage of up to $10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of March 31, 2006. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subsection shall be in addition to the claims-paying capacity as defined in subparagraph (c)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subsection. The claims-paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims-paying capacity otherwise defined in subparagraph (c)1. and as provided for under the terms of the reimbursement contract. Coverage provided in the reimbursement contract for participating insurers will not be affected by the additional premiums paid by limited apportionment companies exercising the additional coverage option allowed in this subparagraph. This subparagraph expires on May 31, 2007.

(c)1. The contract shall also provide that the obligation of the board with respect to all contracts covering a particular contract year shall not exceed the actual claims-paying capacity of the fund up to a limit of $15 billion for that contract year adjusted based upon the reported exposure from the prior contract year to reflect the percentage growth in exposure to the fund for covered policies since 2003, provided the dollar growth in the limit may not increase in any year by an amount greater than the dollar growth of the ~~cash~~ balance *of the fund as of December 31 as defined by rule* which occurred over the prior calendar year.

2. In May before the start of the upcoming contract year and in October during the contract year, the board shall publish in the Florida Administrative Weekly a statement of the fund's estimated borrowing capacity and the projected balance of the fund as of December 31. After the end of each calendar year, the board shall notify insurers of the estimated borrowing capacity and the balance of the fund as of December 31 to provide insurers with data necessary to assist them in determining their retention and projected payout from the fund for loss reimbursement purposes. In conjunction with the development of the premium formula, as provided for in subsection (5), the board shall publish factors or multiples that assist insurers in determining their retention and projected payout for the next contract year. For all regulatory and reinsurance purposes, an insurer may calculate its projected payout from the fund as its share of the total fund premium for the current contract year multiplied by the sum of the projected balance of the fund as of December 31 and the estimated borrowing capacity for that contract year as reported under this subparagraph.

(d)1. For purposes of determining potential liability and to aid in the sound administration of the fund, the contract shall require each insurer to report such insurer's losses from each covered event on an interim basis, as directed by the board. The contract shall require the insurer to report to the board no later than December 31 of each year, and quarterly thereafter, its reimbursable losses from covered events for the year. The contract shall require the board to determine and pay, as soon as practicable after receiving these reports of reimbursable losses, the initial amount of reimbursement due and adjustments to this amount based on later loss information. The adjustments to reimbursement amounts shall require the board to pay, or the insurer to return, amounts reflecting the most recent calculation of losses.

2. In determining reimbursements pursuant to this subsection, the contract shall provide that the board shall:

~~a. First reimburse insurers writing covered policies, which insurers are in full compliance with this section and have petitioned the Office of Insurance Regulation and qualified as limited apportionment companies under s. 627.351(2)(b)3. The amount of such reimbursement shall be the lesser of $10 million or an amount equal to 10 times the insurer's reimbursement premium for the current year. The amount of reimbursement paid under this sub-subparagraph may not exceed the full amount of reimbursement promised in the reimbursement contract. This sub-subparagraph does not apply with respect to any contract year in which the year-end projected cash balance of the fund, exclusive of any bonding capacity of the fund, exceeds $2 billion. Only one member of any insurer group may receive reimbursement under this sub-subparagraph.~~

a.~~b.~~ Next pay to each insurer such insurer's projected payout, which is the amount of reimbursement it is owed, up to an amount equal to the insurer's share of the actual premium paid for that contract year, multiplied by the actual claims-paying capacity available for that contract year; provided, entities created pursuant to s. 627.351 shall be further reimbursed in accordance with sub-subparagraph *b.* ~~c.~~

b.~~c.~~ Thereafter, establish the prorated reimbursement level at the highest level for which any remaining fund balance or bond proceeds are sufficient to reimburse entities created pursuant to s. 627.351 based on reimbursable losses exceeding the amounts payable pursuant to sub-subparagraph *a.* ~~b.~~ for the current contract year.

(5) REIMBURSEMENT PREMIUMS.—

(b) The State Board of Administration shall select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund. The formula shall specify, for each zip code or other limited geographical area, the amount of premium to be paid by an insurer for each $1,000 of insured value under covered policies in that zip code or other area. In establishing premiums, the board shall consider the coverage elected under paragraph (4)(b) and any factors that tend to enhance the actuarial sophistication of ratemaking for the fund, including deductibles, type of construction, type of coverage provided, relative concentration of risks, ~~a factor providing for more rapid cash buildup in the fund until the fund capacity for a single hurricane season is fully funded,~~ and other such factors deemed by the board to be appropriate. The formula may provide for a procedure to determine the premiums to be paid by new insurers that begin writing covered policies after the beginning of a contract year, taking into consideration when the insurer starts writing covered policies, the potential exposure of the insurer, the potential exposure of the fund, the administrative costs to the insurer and to the fund, and any other factors deemed appropriate by the board. *The formula shall include a factor of 25 percent of the fund's actuarially indicated premium in order to provide for more rapid cash buildup in the fund.* The formula must be approved by unanimous vote of the board. The board may, at any time, revise the formula pursuant to the procedure provided in this paragraph.

(e) If Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation under chapter 631 pursuant to s. 627.351(6), the corporation may, pursuant to conditions mutually agreed to between the corporation and the State Board of Administration, obtain coverage for such policies under its contract with the fund or accept an assignment of the liquidated insurer's contract with the fund. If Citizens Property Insurance Corporation elects to cover these policies under the corporation's contract with the fund, it shall notify the board of its insured values with respect to such policies within a specified time mutually agreed to between the corporation and the board, after such assumption or other coverage transaction, and the fund shall treat such policies as having been in effect as of June 30 of that

year. In the event of an assignment, the fund shall apply that contract to such policies and treat Citizens Property Insurance Corporation as if the corporation were the liquidated insurer for the remaining term of the contract, and the corporation shall have all rights and duties of the liquidated insurer beginning on the date it provides coverage for such policies, but the corporation is not subject to any preexisting rights, liabilities, or duties of the liquidated insurer. The assignment, including any unresolved issues between the liquidated insurer and Citizens Property Insurance Corporation under the contract, shall be provided for in the liquidation order or otherwise determined by the court. However, if a covered event occurs before the effective date of the assignment, the corporation may not obtain coverage for such policies under its contract with the fund and shall accept an assignment of the liquidated insurer's contract as provided in this paragraph. This paragraph expires on June 1, 2007.

(6) REVENUE BONDS.—

(a) General provisions.—

1. Upon the occurrence of a hurricane and a determination that the moneys in the fund are or will be insufficient to pay reimbursement at the levels promised in the reimbursement contracts, the board may take the necessary steps under paragraph (c) or paragraph (d) for the issuance of revenue bonds for the benefit of the fund. The proceeds of such revenue bonds may be used to make reimbursement payments under reimbursement contracts; to refinance or replace previously existing borrowings or financial arrangements; to pay interest on bonds; to fund reserves for the bonds; to pay expenses incident to the issuance or sale of any bond issued under this section, including costs of validating, printing, and delivering the bonds, costs of printing the official statement, costs of publishing notices of sale of the bonds, and related administrative expenses; or for such other purposes related to the financial obligations of the fund as the board may determine. The term of the bonds may not exceed 30 years. The board may pledge or authorize the corporation to pledge all or a portion of all revenues under subsection (5) and under paragraph (b) to secure such revenue bonds and the board may execute such agreements between the board and the issuer of any revenue bonds and providers of other financing arrangements under paragraph (7)(b) as the board deems necessary to evidence, secure, preserve, and protect such pledge. If reimbursement premiums received under subsection (5) or earnings on such premiums are used to pay debt service on revenue bonds, such premiums and earnings shall be used only after the use of the moneys derived from assessments under paragraph (b). The funds, credit, property, or taxing power of the state or political subdivisions of the state shall not be pledged for the payment of such bonds. The board may also enter into agreements under paragraph (c) or paragraph (d) for the purpose of issuing revenue bonds in the absence of a hurricane upon a determination that such action would maximize the ability of the fund to meet future obligations.

2. The Legislature finds and declares that the issuance of bonds under this subsection is for the public purpose of paying the proceeds of the bonds to insurers, thereby enabling insurers to pay the claims of policyholders to assure that policyholders are able to pay the cost of construction, reconstruction, repair, restoration, and other costs associated with damage to property of policyholders of covered policies after the occurrence of a hurricane. ~~Revenue bonds may not be issued under this subsection until validated under chapter 75. The validation of at least the first obligations incurred pursuant to this subsection shall be appealed to the Supreme Court, to be handled on an expedited basis.~~

(b) Emergency assessments.—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of *direct written* ~~future~~ premium ~~collections~~ and is subject to annual adjustments by the board ~~to reflect changes in premiums subject to assessments collected under this subparagraph~~ in order to meet debt obligations. The same percentage shall apply to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph shall continue *as long as* ~~until~~ the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the payment of the bonds under the documents authorizing issuance of the bonds.

3. *Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation.* ~~With respect to each insurer collecting premiums that are subject to the assessment, the insurer shall collect the assessment at the same time as it collects the premium payment for each policy and shall remit the assessment collected to the fund or corporation as provided in the order issued by the Office of Insurance Regulation.~~ The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless and until the Office of Insurance Regulation and the Florida Surplus Lines Service Office have received from the corporation and the fund a notice, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the

notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. When an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. When a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium prior to remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2007, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2007.

Section 2. Effective July 1, 2006, section 215.5586, Florida Statutes, is created to read:

215.5586 Florida Comprehensive Hurricane Damage Mitigation Program.—There is established within the Department of Financial Services the Florida Comprehensive Hurricane Damage Mitigation Program. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations. The program shall be administered by an individual with prior executive experience in the private sector in the areas of insurance, business, or construction. The program shall develop and implement a comprehensive and coordinated approach for hurricane damage mitigation that shall include the following:

(1) WIND CERTIFICATION AND HURRICANE MITIGATION INSPECTIONS.—

(a) Free home-retrofit inspections of site-built, residential property, including single-family, two-family, three-family, or four-family residential units, shall be offered to determine what mitigation measures are needed and what improvements to existing residential properties are needed to reduce the property's vulnerability to hurricane damage. The Department of Financial Services shall establish a request for proposals to solicit proposals from wind certification entities to provide at no cost to homeowners wind certification and hurricane mitigation inspections. The inspections provided to homeowners, at a minimum, must include:

1. A home inspection and report that summarizes the results and identifies corrective actions a homeowner may take to mitigate hurricane damage.

2. A range of cost estimates regarding the mitigation features.

3. Insurer-specific information regarding premium discounts correlated to recommended mitigation features identified by the inspection.

4. A hurricane resistance rating scale specifying the home's current as well as projected wind resistance capabilities.

(b) To qualify for selection by the department as a provider of wind certification and hurricane mitigation inspections, the entity shall, at a minimum:

1. Use wind certification and hurricane mitigation inspectors who:

a. Have prior experience in residential construction or inspection and have received specialized training in hurricane mitigation procedures.

b. Have undergone drug testing and background checks.

c. Have been certified, in a manner satisfactory to the department, to conduct the inspections.

2. Provide a quality assurance program including a reinspection component.

(2) GRANTS.—Financial grants shall be used to encourage single-family, site-built, owner-occupied, residential property owners to retrofit their properties to make them less vulnerable to hurricane damage.

(a) To be eligible for a grant, a residential property must:

1. Have been granted a homestead exemption under chapter 196.

2. Be a dwelling with an insured value of $500,000 or less.

3. Have undergone an acceptable wind certification and hurricane mitigation inspection.

A residential property which is part of a multi-family residential unit may receive a grant only if all homeowners participate and the total number of units does not exceed four.

(b) All grants must be matched on a dollar-for-dollar basis for a total of $10,000 for the mitigation project with the state's contribution not to exceed $5,000.

(c) The program shall create a process in which mitigation contractors agree to participate and seek reimbursement from the state and homeowners select from a list of participating contractors. All mitigation must be based upon the securing of all required local permits and inspections. Mitigation projects are subject to random reinspection of up to at least 10 percent of all projects.

(d) Matching fund grants shall also be made available to local governments and nonprofit entities for projects that will reduce hurricane damage to single-family, site-built, owner-occupied, residential property.

(e) Grants may be used for the following improvements:

1. Roof deck attachment;

2. Secondary water barrier;

3. Roof covering;

4. Brace gable ends;

5. Reinforce roof-to-wall connections;

6. Opening protection; and

7. Exterior doors, including garage doors.

(f) Low-income homeowners, as defined in s. 420.0004(9), who otherwise meet the requirements of paragraphs (a) and (c) are eligible for a grant of up to $5,000 and are not required to provide a matching amount to receive the grant. Such grants shall be used to retrofit single-family, site-built, owner-occupied, residential properties in order to make them less vulnerable to hurricane damage.

(3) EDUCATION AND CONSUMER AWARENESS.—Multimedia public education, awareness, and advertising efforts designed to specifically address mitigation techniques shall be employed, as well as a component to support ongoing consumer resources and referral services.

(4) ADVISORY COUNCIL.—There is created an advisory council to provide advice and assistance to the program administrator with regard to his or her administration of the program. The advisory council shall consist of:

(a) A representative of lending institutions, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Bankers Association.

(b) A representative of residential property insurers, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Insurance Council.

(c) A representative of home builders, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Home Builders Association.

(d) A faculty member of a state university, selected by the Financial Services Commission, who is an expert in hurricane-resistant construction methodologies and materials.

(e) Two members of the House of Representatives, selected by the Speaker of the House of Representatives.

(f) Two members of the Senate, selected by the President of the Senate.

(g) The Chief Executive Officer of the Federal Alliance for Safe Homes, Inc., or his or her designee.

(h) The senior officer of the Florida Hurricane Catastrophe Fund.

(i) The executive director of Citizens Property Insurance Corporation.

(j) The director of the Division of Emergency Management of the Department of Community Affairs.

Members appointed under paragraphs (a)-(d) shall serve at the pleasure of the Financial Services Commission. Members appointed under paragraphs (e) and (f) shall serve at the pleasure of the appointing officer. All other members shall serve voting ex officio. Members of the advisory council shall serve without compensation but may receive reimbursement as provided in s. 112.061 for per diem and travel expenses incurred in the performance of their official duties.

(5) FEDERAL FUNDING.—The department shall use its best efforts to obtain grants or funds from the federal government to supplement the financial resources of the program.

(6) RULES.—The Department of Financial Services shall adopt rules pursuant to ss. 120.536(1) and 120.54 governing the Florida Comprehensive Hurricane Damage Mitigation Program. The department shall also adopt rules establishing priorities for grants provided under this section based on objective criteria that gives priority to reducing the state's probable maximum loss from hurricanes. However, pursuant to this overall goal, the department may further establish priorities based on the insured value of the dwelling, whether or not the dwelling is insured by Citizens Property Insurance Corporation and whether or not the area under consideration has sufficient resources and the ability to perform the retrofitting required.

Section 3. Subsections (4) and (6) of section 215.559, Florida Statutes, are amended to read:

215.559 Hurricane Loss Mitigation Program.—

(4)*(a)* Forty percent of the total appropriation in paragraph (2)(a) shall be used to inspect and improve tie-downs for mobile homes. ~~Within 30 days after the effective date of that appropriation, the department shall contract with a public higher educational institution in this state which has previous experience in administering the programs set forth in this subsection to serve as the administrative entity and fiscal agent pursuant to s. 216.346 for the purpose of administering the programs set forth in this subsection in accordance with established policy and procedures. The administrative entity working with the advisory council set up under subsection (6) shall develop a list of mobile home parks and counties that may be eligible to participate in the tie-down program.~~

(b)1. There is created the Manufactured Housing and Mobile Home Mitigation and Enhancement Program. The program shall require the mitigation of damage to or the enhancement of homes for the areas of concern raised by the Department of Highway Safety and Motor Vehicles in the 2004-2005 Hurricane Reports on the effects of the 2004 and 2005 hurricanes on manufactured and mobile homes in this state. The mitigation or enhancement must include, but need not be limited to, problems associated with weakened trusses, studs, and other structural components caused by wood rot or termite damage; site-built additions; or tie-down systems and may also address any other issues deemed appropriate by Tallahassee Community College, the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The program shall include an education and outreach component to ensure that owners of manufactured and mobile homes are aware of the benefits of participation.

2. The program shall be a grant program that ensures that entire manufactured home communities and mobile home parks may be improved wherever practicable. The moneys appropriated for this program shall be distributed directly to Tallahassee Community College for the uses set forth under this subsection.

3. Upon evidence of completion of the program, the Citizens Property Insurance Corporation shall grant, on a pro-rata basis, actuarially reasonable discounts, credits, or other rate differentials or appropriate reductions in deductibles for the properties of owners of manufactured homes or mobile homes on which fixtures or construction techniques that have been demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The discount on the premium must be applied to subsequent renewal premium amounts. Premiums of the Citizens Property Insurance Corporation must reflect the location of the home and the fact that the home has been installed in compliance with building codes adopted after Hurricane Andrew. Rates resulting from the completion of the Manufactured Housing and Mobile Home Mitigation and Enhancement Program are not considered competitive rates for the purposes of s. 627.351(6)(d)1. and 2.

4. On or before January 1 of each year, Tallahassee Community College shall provide a report of activities under this subsection to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must set forth the number of homes that have taken advantage of the program, the types of enhancements and improvements made to the manufactured or mobile homes and attachments to such homes, and whether there has been an increase in availability of insurance products to owners of manufactured or mobile homes.

Tallahassee Community College shall develop the programs set forth in this subsection in consultation with the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The moneys appropriated for the programs set forth in this subsection shall be distributed directly to Tallahassee Community College to be used as set forth in this subsection.

(6) *Except for the programs set forth in subsection (4),* the Department of Community Affairs shall develop the programs set forth in this section in consultation with an advisory council consisting of a representative designated by the Chief Financial Officer, a representative designated by the Florida Home Builders Association, a representative designated by the Florida Insurance Council, a representative designated by the Federation of Manufactured Home Owners, a representative designated by the Florida Association of Counties, and a representative designated by the Florida Manufactured Housing Association.

Section 4. *Of the funds appropriated for the Florida Comprehensive Hurricane Damage Mitigation Program specified in s. 215.5586, Florida Statutes, as created by this act, $7.5 million shall be for the Manufactured Housing and Mobile Home Mitigation and Enhancement Program specified in s. 215.559(4)(b), Florida Statutes, as created by this act. The Department of Financial Services shall use these funds to contract with Tallahassee Community College to implement the Manufactured Housing and Mobile Home Mitigation and Enhancement Program.*

Section 5. Section 215.5595, Florida Statutes, is created to read:

215.5595 Insurance Capital Build-Up Incentive Program.—

(1) Upon entering the 2006 hurricane season, the Legislature finds that:

(a) The losses in Florida from eight hurricanes in 2004 and 2005 have seriously strained the resources of both the voluntary insurance market and the public-sector mechanisms of Citizens Property Insurance Corporation and the Florida Hurricane Catastrophe Fund.

(b) Private reinsurance is much less available and at a significantly greater cost to residential property insurers as compared to 1 year ago, particularly for amounts below the insurer's retention or retained losses that must be paid before reimbursement is provided by the Florida Hurricane Catastrophe Fund.

(c) The Office of Insurance Regulation has reported that the insolvency of certain insurers may be imminent.

(d) Hurricane forecast experts predict that the 2006 hurricane season will be an active hurricane season and that the Atlantic and Gulf Coast regions face an active hurricane cycle of 10 to 20 years or longer.

(e) The number of cancellations or nonrenewals of residential property insurance policies is expected to increase and the number of new residential policies written in the voluntary market are likely to decrease, causing increased policy growth and exposure to the state insurer of last resort, Citizens Property Insurance Corporation, and threatening to increase the deficit of the corporation, currently estimated to be over $1.7 billion. This deficit must be funded by assessments against insurers and policyholders, unless otherwise funded by the state.

(f) Policyholders are subject to increased premiums and assessments that are increasingly making such coverage unaffordable and that may force policyholders to sell their homes and even leave the state.

(g) The increased risk to the public sector and private sector poses a serious threat to the economy of this state, particularly the building and financing of residential structures, and existing mortgages may be placed in default.

(h) The losses from 2004 and 2005, combined with the expectation that the increase in hurricane activity will continue for the foreseeable future, have caused both insurers and reinsurers to limit the capital they are willing to commit to covering the hurricane risk in Florida; attracting new capital to the Florida market is a critical priority; and providing a low-cost source of capital would enable insurers to write additional residential property insurance coverage and act to mitigate premium increases.

(i) Appropriating state funds to be used as surplus notes for residential property insurers, under conditions requiring the insurer to contribute additional private-sector capital and to write a minimum level of premiums for residential hurricane coverage, is a valid and important public purpose.

(2) The purpose of this section is to provide surplus notes to new or existing authorized residential property insurers under the Insurance Capital Build-Up Incentive Program administered by the State Board of Administration, under the following conditions:

(a) The amount of the surplus note for any insurer or insurer group may not exceed $25 million or 20 percent of the total amount of funds available under the program, whichever is greater.

(b) The insurer must contribute an amount of new capital to its surplus which is at least equal to the amount of the surplus note and must apply to the board by July 1, 2006. If an insurer applies after July 1, 2006, but before June 1, 2007, the amount of the surplus note is limited to one-half of the new capital that the insurer contributes to its surplus. For purposes of this section, new capital must be in the form of cash or cash equivalents as specified in s. 625.012(1).

(c) The insurer's surplus, new capital, and the surplus note must total at least $50 million.

(d) The insurer must commit to meeting a minimum writing ratio of net written premium to surplus of at least 2:1 for the term of the surplus note, which shall be determined by the Office of Insurance Regulation and certified quarterly to the board. For this purpose, the term "net written premium" means net written premium for residential property insurance in Florida, including the peril of wind, and "surplus" refers to the entire surplus of the insurer. If the required ratio is not maintained during the term of the surplus note, the board may increase the interest rate, accelerate the repayment of interest and principal, or shorten the term of the surplus note, subject to approval by the Commissioner of Insurance of payments by the insurer of principal and interest as provided in paragraph (f).

(e) If the requirements of this section are met, the board may approve an application by an insurer for a surplus note, unless the board determines that the financial condition of the insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The board shall consult with the Office of Insurance Regulation and may contract with independent financial and insurance consultants in making this determination.

(f) The surplus note must be repayable to the state with a term of 20 years. The surplus note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate, require the payment only of interest during the first 3 years, and include such other terms as approved by the board. Payment of principal or interest by the insurer on the surplus note must be approved by the Commissioner of Insurance, who shall approve such payment unless the commissioner determines that such payment will substantially impair the financial condition of the insurer. If such a determination is made, the commissioner shall approve such payment that will not substantially impair the financial condition of the insurer.

(g) The total amount of funds available for the program is limited to the amount appropriated by the Legislature for this purpose. If the amount of surplus notes requested by insurers exceeds the amount of funds available, the board may prioritize insurers that are eligible and approved, regardless of the date of application, based on the financial strength of the insurer, the viability of its proposed business plan for writing additional residential property insurance in the state, and the effect on competition in the residential property insurance market.

(h) The board may allocate portions of the funds available for the program and establish dates for insurers to apply for surplus notes from such allocation which are earlier than the dates established in paragraph (b).

(3) As used in this section, the term:

(a) "Board" means the State Board of Administration.

(b) "Program" means the Insurance Capital Build-Up Incentive Program established by this section.

(4) A surplus note provided to an insurer pursuant to this section is considered an asset of the insurer pursuant to s. 625.012.

(5) If an insurer that receives a surplus note pursuant to this section is rendered insolvent, the state is a class 3 creditor pursuant to s. 631.271 for the unpaid principal and interest on the surplus note.

(6) The board shall adopt rules prescribing the procedures, administration, and criteria for approving the issuance of surplus notes pursuant to this section, which may be adopted pursuant to the procedures for emergency rules of chapter 120. Otherwise, actions and determinations by the board pursuant to this section are exempt from chapter 120.

(7) The board shall invest and reinvest the funds appropriated for the program in accordance with s. 215.47 and consistent with board policy.

Section 6. Section 252.63, Florida Statutes, is created to read:

252.63 Commissioner of Insurance Regulation; powers in a state of emergency.—

(1) When the Governor declares a state of emergency pursuant to s. 252.36, the commissioner may issue one or more general orders applicable to all insurance companies, entities, and persons, as defined in s. 624.04, that are subject to the Florida Insurance Code and that serve any portion of the area of the state under the state of emergency.

(2) An order issued by the commissioner under this section becomes effective upon issuance and continues for 120 days unless terminated sooner by the commissioner. The commissioner may extend an order for one additional period of 120 days if he or she determines that the emergency conditions that gave rise to the initial order still exist. By concurrent resolution, the Legislature may terminate any order issued under this section.

(3) The commissioner shall publish in the next available publication of the Florida Administrative Weekly a copy of the text of any order issued under this section, together with a statement describing the modification or suspension and explaining how the modification or suspension will facilitate recovery from the emergency.

Section 7. Section 626.8795, Florida Statutes, is created to read:

626.8795 Public adjusters; prohibition of conflict of interest.—A public adjuster may not participate, directly or indirectly, in the reconstruction, repair, or restoration of damaged property that is the subject of a claim adjusted by the licensee; may not engage in any other activities that may be reasonably construed as a conflict of interest, including soliciting or accepting any remuneration from, of any kind or nature, directly or indirectly; and may not have a financial interest in any salvage, repair,

or any other business entity that obtains business in connection with any claim that the public adjuster has a contract or an agreement to adjust.

Section 8. Subsection (1) of 627.0613, Florida Statutes, is amended to read:

627.0613 Consumer advocate.—The Chief Financial Officer must appoint a consumer advocate who must represent the general public of the state before the department and the office. The consumer advocate must report directly to the Chief Financial Officer, but is not otherwise under the authority of the department or of any employee of the department. The consumer advocate has such powers as are necessary to carry out the duties of the office of consumer advocate, including, but not limited to, the powers to:

(1) Recommend to the department or office, by petition, the commencement of any proceeding or action; appear in any proceeding or action before the department or office; or appear in any proceeding before the Division of Administrative Hearings *or arbitration panel specified in s. 627.062(6)* relating to subject matter under the jurisdiction of the department or office.

Section 9. *For the 2006-2007 fiscal year, there is appropriated $250,000 from the Insurance Regulatory Trust Fund to the Office of the Consumer Advocate within the Department of Financial Services for the purposes provided in section 627.0613, Florida Statutes.*

Section 10. Subsections (1) and (2) of section 626.918, Florida Statutes, are amended to read:

626.918 Eligible surplus lines insurers.—

(1) *A* ~~No~~ surplus lines agent *may not* ~~shall~~ place any coverage with any unauthorized insurer which is not then an eligible surplus lines insurer, except as permitted under subsections (5) and (6).

(2) *An* ~~No~~ unauthorized insurer *may not* ~~shall~~ be or become an eligible surplus lines insurer unless made eligible by the office in accordance with the following conditions:

(a) Eligibility of the insurer must be requested in writing by the Florida Surplus Lines Service Office.~~;~~

(b) The insurer must be currently an authorized insurer in the state or country of its domicile as to the kind or kinds of insurance proposed to be so placed and must have been such an insurer for not less than the 3 years next preceding or must be the wholly owned subsidiary of such authorized insurer or must be the wholly owned subsidiary of an already eligible surplus lines insurer as to the kind or kinds of insurance proposed for a period of not less than the 3 years next preceding. However, the office may waive the 3-year requirement if the insurer provides a product or service not readily available to the consumers of this state or has operated successfully for a period of at least 1 year next preceding and has capital and surplus of not less than $25 million.~~;~~

(c) Before granting eligibility, the requesting surplus lines agent or the insurer shall furnish the office with a duly authenticated copy of its current annual financial statement in the English language and with all monetary values therein expressed in United States dollars, at an exchange rate (in the case of statements originally made in the currencies of other countries) then-current and shown in the statement, and with such additional information relative to the insurer as the office may request.~~;~~

(d)1.*a.* The insurer must have and maintain surplus as to policyholders of not less than $15 million; in addition, an alien insurer must also have and maintain in the United States a trust fund for the protection of all its policyholders in the United States under terms deemed by the office to be reasonably adequate, in an amount not less than $5.4 million. Any such surplus as to policyholders or trust fund shall be represented by investments consisting of eligible investments for like funds of like domestic insurers under part II of chapter 625 provided, however, that in the case of an alien insurance company, any such surplus as to policyholders may be represented by investments permitted by the domestic regulator of such alien insurance company if such investments are substantially similar in terms of quality, liquidity, and security to eligible investments for like funds of like domestic insurers under part II of chapter 625. *Clean, irrevocable, unconditional, and evergreen letters of credit issued or confirmed by a qualified United States financial institution, as defined in subparagraph 2., may be used to fund the trust.*~~;~~

b.~~2.~~ For those surplus lines insurers that were eligible on January 1, 1994, and that maintained their eligibility thereafter, the required surplus as to policyholders shall be:

(I)~~a.~~ On December 31, 1994, and until December 30, 1995, $2.5 million.

(II)~~b.~~ On December 31, 1995, and until December 30, 1996, $3.5 million.

(III)~~c.~~ On December 31, 1996, and until December 30, 1997, $4.5 million.

(IV)~~d.~~ On December 31, 1997, and until December 30, 1998, $5.5 million.

(V)~~e.~~ On December 31, 1998, and until December 30, 1999, $6.5 million.

(VI)~~f.~~ On December 31, 1999, and until December 30, 2000, $8 million.

(VII)~~g.~~ On December 31, 2000, and until December 30, 2001, $9.5 million.

(VIII)~~h.~~ On December 31, 2001, and until December 30, 2002, $11 million.

(IX)~~i.~~ On December 31, 2002, and until December 30, 2003, $13 million.

(X)~~j.~~ On December 31, 2003, and thereafter, $15 million.

c.~~3.~~ The capital and surplus requirements as set forth in *sub-subparagraph b.* ~~subparagraph 2.~~ do not apply in the case of an insurance exchange created by the laws of individual states, where the exchange maintains capital and surplus pursuant to the requirements of that state, or maintains capital and surplus in an amount not less than $50 million in the aggregate. For an insurance exchange which maintains funds in the amount of at least $12 million for the protection of all insurance exchange policyholders, each individual syndicate shall maintain minimum capital and surplus in an amount not less than $3 million. If the insurance exchange does not maintain funds in the amount of at least $12 million for the protection of all insurance exchange policyholders, each individual syndicate shall meet the minimum capital and surplus requirements set forth in *sub-subparagraph b.* ~~subparagraph 2.~~;

d.~~4.~~ A surplus lines insurer which is a member of an insurance holding company that includes a member which is a Florida domestic insurer as set forth in its holding company registration statement, as set forth in s. 628.801 and rules adopted thereunder, may elect to maintain surplus as to policyholders in an amount equal to the requirements of s. 624.408, subject to the requirement that the surplus lines insurer shall at all times be in compliance with the requirements of chapter 625.

The election shall be submitted to the office and shall be effective upon the office's being satisfied that the requirements of *sub-subparagraph d.* ~~subparagraph 4.~~ have been met. The initial date of election shall be the date of office approval. The election approval application shall be on a form adopted by commission rule. The office may approve an election form submitted pursuant to *sub-subparagraph d.* ~~subparagraph 4.~~ only if it was on file with the former Department of Insurance before February 28, 1998.~~;~~

2. For purposes of letters of credit under subparagraph 1., the term "qualified United States financial institution" means an institution that:

a. Is organized or, in the case of a United States office of a foreign banking organization, is licensed under the laws of the United States or any state.

b. Is regulated, supervised, and examined by authorities of the United States or any state having regulatory authority over banks and trust companies.

c. Has been determined by the office or the Securities Valuation Office of the National Association of Insurance Commissioners to meet such standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit are acceptable to the office.

(e) The insurer must be of good reputation as to the providing of service to its policyholders and the payment of losses and claims.~~;~~

(f) The insurer must be eligible, as for authority to transact insurance in this state, under s. 624.404(3).~~; and~~

(g) This subsection does not apply as to unauthorized insurers made eligible under s. 626.917 as to wet marine and aviation risks.

Section 11. Effective July 1, 2006, paragraph (b) of subsection (2) of section 627.062, Florida Statutes, is amended, paragraph (j) is added to that subsection, and subsection (9) is added to that section, to read:

627.062 Rate standards.—

(2) As to all such classes of insurance:

(b) Upon receiving a rate filing, the office shall review the rate filing to determine if a rate is excessive, inadequate, or unfairly discriminatory. In making that determination, the office shall, in accordance with generally accepted and reasonable actuarial techniques, consider the following factors:

1. Past and prospective loss experience within and without this state.

2. Past and prospective expenses.

3. The degree of competition among insurers for the risk insured.

4. Investment income reasonably expected by the insurer, consistent with the insurer's investment practices, from investable premiums anticipated in the filing, plus any other expected income from currently invested assets representing the amount expected on unearned premium reserves and loss reserves. The commission may adopt rules utilizing reasonable techniques of actuarial science and economics to specify the manner in which insurers shall calculate investment income attributable to such classes of insurance written in this state and the manner in which such investment income shall be used in the calculation of insurance rates. Such manner shall contemplate allowances for an underwriting profit factor and full consideration of investment income which produce a reasonable rate of return; however, investment income from invested surplus shall not be considered.

5. The reasonableness of the judgment reflected in the filing.

6. Dividends, savings, or unabsorbed premium deposits allowed or returned to Florida policyholders, members, or subscribers.

7. The adequacy of loss reserves.

8. The cost of reinsurance.

9. Trend factors, including trends in actual losses per insured unit for the insurer making the filing.

10. Conflagration and catastrophe hazards, if applicable.

11. A reasonable margin for underwriting profit and contingencies. *For that portion of the rate covering the risk of hurricanes and other catastrophic losses for which the insurer has not purchased reinsurance and has exposed its capital and surplus to such risk, the office must approve a rating factor that provides the insurer a reasonable rate of return that is commensurate with such risk.*

12. The cost of medical services, if applicable.

13. Other relevant factors which impact upon the frequency or severity of claims or upon expenses.

The provisions of this subsection shall not apply to workers' compensation and employer's liability insurance and to motor vehicle insurance.

(j) Effective July 1, 2007, notwithstanding any other provision of this section:

1. With respect to any residential property insurance subject to regulation under this section for any area for which the office determines a reasonable degree of competition exists, a rate filing, including, but not limited to, any rate changes, rating factors, territories, classification, discounts, and credits, with respect to any policy form, including endorsements issued with the form, that results in an overall average statewide premium increase or decrease of no more than 5 percent above or below the premium that would result from the insurer's rates then in effect shall not be subject to a determination by the office that the rate is excessive or unfairly discriminatory except as provided in subparagraph 3., or any other provision of law, provided all changes specified in the filing do not result in an overall premium increase of more than 10 percent for any one territory, for reasons related solely to the rate change. As used in this subparagraph, the term "insurer's rates then in effect" includes only rates that have been lawfully in effect under this section or rates that have been determined to be lawful through administrative proceedings or judicial proceedings.

2. An insurer may not make filings under this paragraph with respect to any policy form, including endorsements issued with the form, if the overall premium changes resulting from such filings exceed the amounts specified in this paragraph in any 12-month period. An insurer may proceed under other provisions of this section or other provisions of law if the insurer seeks to exceed the premium or rate limitations of this paragraph.

3. This paragraph does not affect the authority of the office to disapprove a rate as inadequate or to disapprove a filing for the unlawful use of unfairly discriminatory rating factors that are prohibited by the laws of this state. An insurer electing to implement a rate change under this paragraph shall submit a filing to the office at least 40 days prior to the effective date of the rate change. The office shall have 30 days after the filing's submission to review the filing and determine if the rate is inadequate or uses unfairly discriminatory rating factors. Absent a finding by the office within such 30-day period that the rate is inadequate or that the insurer has used unfairly discriminatory rating factors, the filing is deemed approved. If the office finds during the 30-day period that the filing will result in inadequate premiums or otherwise endanger the insurer's solvency, the office shall suspend the rate decrease. If the insurer is implementing an overall rate increase, the results of which continue to produce an inadequate rate, such increase shall proceed pending additional action by the office to ensure the adequacy of the rate.

4. This paragraph does not apply to rate filings for any insurance other than residential property insurance.

(9) The burden is on the office to establish that rates are excessive for personal lines residential coverage with a dwelling replacement cost of $1 million or more or for a single condominium unit with a combined dwelling and contents replacement cost of $1 million or more. Upon request of the office, the insurer shall provide to the office such loss and expense information as the office reasonably needs to meet this burden.

Section 12. Paragraph (c) of subsection (3) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

(3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

(c) With respect to a rate filing under s. 627.062, an insurer may employ actuarial methods, principles, standards, models, or output ranges found by the commission to be accurate or reliable to determine hurricane loss factors for use in a rate filing under s. 627.062. Such findings and factors are admissible and relevant in consideration of a rate filing by the office or in any arbitration or administrative or judicial review only if the office and the consumer advocate appointed pursuant to s. 627.0613 have access to all of the assumptions and factors that were used in developing the actuarial methods, principles, standards, models, or output ranges, and are not precluded from disclosing such information in a rate proceeding. *In any rate hearing under s. 120.57 or in any arbitration proceeding under s. 627.062(6), the hearing officer, judge, or arbitration panel may determine whether the office and the consumer advocate were provided with access to all of the assumptions and factors that were used in developing the actuarial methods, principles, standards, models, or output ranges and to determine their admissibility.*

Section 13. Section 627.06281, Florida Statutes, is amended to read:

627.06281 Public hurricane loss projection model; reporting of data by insurers.—

(1) Within 30 days after a written request for loss data and associated exposure data by the office or a type I center within the State University System established to study mitigation, residential property insurers and licensed rating and advisory organizations that compile residential property insurance loss data shall provide loss data and associated exposure data for residential property insurance policies to the office or to a type I center within the State University System established to study mitigation, as directed by the office, for the purposes of developing, maintaining, and updating a public model for hurricane loss projections. The loss data and associated exposure data provided shall be in writing.

(2) The public model must be submitted to the Florida Commission on Hurricane Loss Projection Methodology for review under s. 627.0628 by March 1, 2007. The office may continue to use the model for its review of rate filings pursuant to ss. 627.062 and 627.351 until such time as the Florida Commission on Hurricane Loss Projection Methodology determines that the public model is not accurate or reliable pursuant to the same process and standards as the commission uses for the review of other hurricane loss projection models.

Section 14. Subsection (1) of section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(1) Effective June 1, 2002, a rate filing for residential property insurance must include actuarially reasonable discounts, credits, or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The fixtures or construction techniques shall include, but not be limited to, fixtures or construction techniques which enhance roof strength, roof covering performance, roof-to-wall strength, wall-to-floor-to-foundation strength, opening protection, and window, door, and skylight strength. Credits, discounts, or other rate differentials for fixtures and construction techniques which meet the minimum requirements of the Florida Building Code must be included in the rate filing. All insurance companies must make a rate filing which includes the credits, discounts, or other rate differentials by February 28, 2003. *By July 1, 2007, the office shall reevaluate the discounts, credits, other rate differentials, and appropriate reductions in deductibles for fixtures and construction techniques that meet the minimum requirements of the Florida Building Code, based upon actual experience or any other loss relativity studies available to the office. The office shall determine the discounts, credits, other rate differentials, and appropriate reductions in deductibles that reflect the full actuarial value of such revaluation, which may be used by insurers in rate filings.*

Section 15. Effective July 1, 2006, subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a)1. The Legislature finds that actual and threatened catastrophic losses to property in this state from hurricanes have caused insurers to be unwilling or unable to provide property insurance coverage to the extent sought and needed. It is in the public interest and a public purpose to assist in assuring that property in the state is insured so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare; to the economy of the state; and to the revenues of the state and local governments needed to provide for the public welfare. It is necessary, therefore, to provide property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends by this subsection that property insurance be provided and that it continues, as long as necessary, through an entity organized to achieve efficiencies and economies, while providing service to policyholders, applicants, and agents that is no less than the quality generally provided in the voluntary market, all toward the achievement of the foregoing public purposes. Because it is essential for the corporation to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known, as of July 1, 2002, as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are in good faith entitled, but are unable, to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the *Financial Services Commission* ~~office~~. The plan is subject to continuous review by the *commission* ~~office~~. The *commission* ~~office~~ may, by order, withdraw approval of all or part of a plan if the *commission* ~~office~~ determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. *The corporation shall continue to operate pursuant to the plan of operation approved by the Office of Insurance Regulation until October 1, 2006.* For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies, and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. For the purposes of this subsection, the term "homestead property" means:

a. Property that has been granted a homestead exemption under chapter 196;

b. Property for which the owner has a current, written lease with a renter for a term of at least 7 months and for which the dwelling is insured by the corporation for $200,000 or less;

c. An owner-occupied mobile home or manufactured home, as defined in s. 320.01, which is permanently affixed to real property, is owned by a Florida resident, and has been granted a homestead exemption under chapter 196 or, if the owner does not own the real property, the owner certifies that the mobile home or manufactured home is his or her principal place of residence.

d. Tenants coverage;

e. Commercial lines residential property; or

f. Any county, district, or municipal hospital; a hospital licensed by any not-for-profit corporation qualified under s. 501(c)(3) of the United States Internal Revenue Code; or a continuing care retirement community that is certified under chapter 651 and that receives an exemption from ad valorem taxes under chapter 196.

4. For the purposes of this subsection, the term "nonhomestead property" means property that is not homestead property.

5. Effective July 1, 2008, a personal lines residential structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and content replacement cost of $1 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on June 30, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage in the high-risk account and be considered "nonhomestead property" if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

6. Effective March 1, 2007, nonhomestead property is not eligible for coverage by the corporation and is not eligible for renewal of such coverage unless the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the

corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers.

7.~~3.~~ It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It also is intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

(b)1. All insurers authorized to write one or more subject lines of business in this state are subject to assessment by the corporation and, for the purposes of this subsection, are referred to collectively as "assessable insurers." Insurers writing one or more subject lines of business in this state pursuant to part VIII of chapter 626 are not assessable insurers, but insureds who procure one or more subject lines of business in this state pursuant to part VIII of chapter 626 are subject to assessment by the corporation and are referred to collectively as "assessable insureds." An authorized insurer's assessment liability shall begin on the first day of the calendar year following the year in which the insurer was issued a certificate of authority to transact insurance for subject lines of business in this state and shall terminate 1 year after the end of the first calendar year during which the insurer no longer holds a certificate of authority to transact insurance for subject lines of business in this state.

2.a. All revenues, assets, liabilities, losses, and expenses of the corporation shall be divided into three separate accounts as follows:

(I) A personal lines account for personal residential policies issued by the corporation or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation that provide comprehensive, multiperil coverage on risks that are not located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for such policies that do not provide coverage for the peril of wind on risks that are located in such areas;

(II) A commercial lines account for commercial residential policies issued by the corporation or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation that provide coverage for basic property perils on risks that are not located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for such policies that do not provide coverage for the peril of wind on risks that are located in such areas; and

(III) A high-risk account for personal residential policies and commercial residential and commercial nonresidential property policies issued by the corporation or transferred to the corporation that provide coverage for the peril of wind on risks that are located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002. The high-risk account must also include quota share primary insurance under subparagraph (c)2. The area eligible for coverage under the high-risk account also includes the area within Port Canaveral, which is bordered on the south by the City of Cape Canaveral, bordered on the west by the Banana River, and bordered on the north by Federal Government property. The office may remove territory from the area eligible for wind-only and quota share coverage if, after a public hearing, the office finds that authorized insurers in the voluntary market are willing and able to write sufficient amounts of personal and commercial residential coverage for all perils in the territory, including coverage for the peril of wind, such that risks covered by wind-only policies in the removed territory could be issued a policy by the corporation in either the personal lines or commercial lines account without a significant increase in the corporation's probable maximum loss in such account. Removal of territory from the area eligible for wind-only or quota share coverage does not alter the assignment of wind coverage written in such areas to the high-risk account.

b. The three separate accounts must be maintained as long as financing obligations entered into by the Florida Windstorm Underwriting Association or Residential Property and Casualty Joint Underwriting Association are outstanding, in accordance with the terms of the corresponding financing documents. When the financing obligations are no longer outstanding, in accordance with the terms of the corresponding financing documents, the corporation may use a single account for all revenues, assets, liabilities, losses, and expenses of the corporation. *Consistent with the requirement of this subparagraph and prudent investment policies that minimize the cost of carrying debt, the board shall exercise its best efforts to retire existing debt or to obtain approval of necessary parties to amend the terms of existing debt, so as to structure the most efficient plan to consolidate the three separate accounts into a single account. By February 1, 2007, the board shall submit a report to the Financial Services Commission, the President of the Senate, and the Speaker of the House of Representatives which includes an analysis of consolidating the accounts, the actions the board has taken to minimize the cost of carrying debt, and its recommendations for executing the most efficient plan.*

c. Creditors of the Residential Property and Casualty Joint Underwriting Association shall have a claim against, and recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II) and shall have no claim against, or recourse to, the account referred to in sub-sub-subparagraph a.(III). Creditors of the Florida Windstorm Underwriting Association shall have a claim against, and recourse to, the account referred to in sub-sub-subparagraph a.(III) and shall have no claim against, or recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II).

d. Revenues, assets, liabilities, losses, and expenses not attributable to particular accounts shall be prorated among the accounts.

e. The Legislature finds that the revenues of the corporation are revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds under this subsection.

f. No part of the income of the corporation may inure to the benefit of any private person.

3. With respect to a deficit in an account:

a. When the deficit incurred in a particular calendar year is not greater than 10 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the entire deficit shall be recovered through regular assessments of assessable insurers under paragraph *(p)* ~~(g)~~ and assessable insureds.

b. When the deficit incurred in a particular calendar year exceeds 10 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the corporation shall levy regular assessments on assessable insurers under paragraph *(p)* ~~(g)~~ and on assessable insureds in an amount equal to the greater of 10 percent of the deficit or 10 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year. Any remaining deficit shall be recovered through emergency assessments under sub-subparagraph d.

c. Each assessable insurer's share of the amount being assessed under sub-subparagraph a. or sub-subparagraph b. shall be in the proportion that the assessable insurer's direct written premium for the subject lines of business for the year preceding the assessment bears to the aggregate statewide direct written premium for the subject lines of business for that year. The assessment percentage applicable to each assessable insured is the ratio of the amount being assessed under sub-subparagraph a. or sub-subparagraph b. to the aggregate statewide direct written premium for the subject lines of business for the prior year. Assessments levied by the corporation on assessable insurers under sub-subparagraphs a. and b. shall be paid as required by the corporation's plan of operation and paragraph *(p)* ~~(g)~~. *Notwithstanding any other provision of this subsection, the aggregate amount of a regular assessment for a deficit incurred in a particular calendar year shall be reduced by the estimated amount to be received by the corporation from the Citizens policyholder surcharge under subparagraph (c)11.* Assessments levied by the corporation on assessable insureds under sub-subparagraphs a. and b. shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. Upon receipt of regular assessments from surplus lines agents, the Florida Surplus Lines Service Office shall transfer the assessments directly to the corporation as determined by the corporation.

d. Upon a determination by the board of governors that a deficit in an account exceeds the amount that will be recovered through regular assessments under sub-subparagraph a. or sub-subparagraph b., the board shall levy, after verification by the office, emergency assessments, for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance policies. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for subject lines of business and all accounts of the corporation, excluding National Flood Insurance Program policy premiums, as annually determined by the board and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessments so collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and shall be held by the corporation solely in the applicable account. The aggregate amount of emergency assessments levied for an account under this sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for subject lines of business and for all accounts of the corporation for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit.

e. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, *policyholder* ~~market equalization~~ surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph *(p)* ~~(g)~~, bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection, or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the board determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes regular assessments under sub-subparagraph a., sub-subparagraph b., or subparagraph *(p)1.* ~~(g)1.~~ and emergency assessments under sub-subparagraph d. Emergency assessments collected under sub-subparagraph d. are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments under sub-subparagraph d. shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or other indebtedness.

f. As used in this subsection, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners multiperil, commercial multiperil, and mobile homes, and including liability coverage on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1) other than insurance on mobile homes used as permanent dwellings.

g. The Florida Surplus Lines Service Office shall determine annually the aggregate statewide written premium in subject lines of business procured by assessable insureds and shall report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.

h. The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for regular assessments and emergency assessments levied under this subparagraph on assessable insureds and shall assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.

i. The board of governors shall maintain separate accounting records that consolidate data for nonhomestead properties, including, but not limited to, number of policies, insured values, premiums written, and losses. The board of governors shall annually report to the office and the Legislature a summary of such data.

(c) The plan of operation of the corporation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which forms must be approved by the office prior to use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which coverage is more limited than the coverage under a standard policy.

c. Commercial lines residential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. that contain more restrictive coverage.

2.a. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the quota share primary insurance agreement, may not be altered by the inability of the other party to the agreement to pay its specified percentage of hurricane losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that neither the authorized insurer nor the corporation may be held responsible beyond its specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the quota share primary insurance agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under quota share primary insurance agreements, the corporation and the authorized insurer shall maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by Florida Hurricane Catastrophe Fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of quota share agreements, pricing of quota share agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer shall be voluntary and at the discretion of the authorized insurer.

3. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation shall have the power to borrow funds, by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may, but is not required to, seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (g)2., in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation is authorized to take all actions needed to facilitate tax-free status for any such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation shall have the authority to pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, market equalization and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

4.a. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of 8 individuals who are residents of this state, from different geographical areas of this state. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board~~, effective August 1, 2005~~. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance. The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. Any board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board of governors in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board~~, as recommended by the Chief Financial Officer,~~ and serve at the pleasure of the board. *Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate.* The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board ~~and the Chief Financial Officer~~.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage. The members of the advisory committee shall consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members must serve for 3-year terms and may serve for consecutive terms. The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to the provisions of s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, the risk is not eligible for any policy issued by the corporation. If the risk is not able to obtain any such offer, the risk is eligible for either a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk shall be eligible for a basic policy including wind coverage unless rejected under subparagraph 8. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary

commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for any policy issued by the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

6. Must provide by July 1, 2007, that an application for coverage for a new policy is subject to a waiting period of 10 days before coverage is effective, during which time the corporation shall make such application available for review by general lines agents and authorized property and casualty insurers. The board may approve exceptions that allow for coverage to be effective before the end of the 10-day waiting period, for coverage issued in conjunction with a real estate closing, and for such other exceptions as the board determines are necessary to prevent lapses in coverage.

7.~~6.~~ Must include rules for classifications of risks and rates therefor.

8.~~7.~~ Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus shall be available to defray deficits in that account as to future years and shall be used for that purpose prior to assessing assessable insurers and assessable insureds as to any calendar year.

9.~~8.~~ Must provide objective criteria and procedures to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 shall not apply.

10.~~9.~~ Must provide that the corporation shall make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

11.~~10.~~ Must provide that in the event of regular deficit assessments under sub-subparagraph (b)3.a. or sub-subparagraph (b)3.b., in the personal lines account, the commercial lines residential account, or the high-risk account, the corporation shall levy upon corporation policyholders in its next rate filing, or by a separate rate filing solely for this purpose, a *Citizens policyholder* ~~market equalization~~ surcharge arising from a regular assessment in such account in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for subject lines of business for the prior calendar year. *For purposes of calculating the Citizens policyholder surcharge to be levied under this subparagraph, the total amount of the regular assessment to which this surcharge is related shall be determined as set forth in subparagraph (b)3., without deducting the estimated Citizens policyholder surcharge. Citizens policyholder* ~~Market equalization~~ surcharges under this subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

12.~~11.~~ The policies issued by the corporation must provide that, if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation.

13.~~12.~~ Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer that does not provide coverage identical to the coverage provided by the corporation. The notice shall also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

14.~~13.~~ May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the corporation. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

15.~~14.~~ Must provide that, with respect to the high-risk account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. *A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the high-risk account in 2006 or thereafter may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds pursuant to s. 627.3512, but the regular assessment must be paid in full within 12 months after being levied by the corporation.* ~~In no event shall a limited apportionment company be required to participate in the portion of any assessment, within the high-risk account, pursuant to sub-subparagraph (b)3.a. or sub-subparagraph (b)3.b. in the aggregate which exceeds $50 million after payment of available high-risk account funds in any calendar year. However,~~ A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan shall provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (g)4. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d.

16.~~15.~~ Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s. 626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

17. Must provide, by July 1, 2007, a premium payment plan option to its policyholders which allows for quarterly and semiannual payment of premiums.

18. Must provide, effective June 1, 2007, that the corporation contract with each insurer providing the non-wind coverage for risks insured by the corporation in the high-risk account, requiring that the insurer provide claims-adjusting services for the wind coverage provided by the corporation for such risks. An insurer is required to enter into this contract as a condition of providing non-wind coverage for a risk that is insured by the corporation in the high-risk account unless the board finds, after a hearing, that the insurer is not capable of providing adjusting services at an acceptable level of quality to corporation policyholders. The terms and conditions of such contracts must be substantially the same as the contracts that the corporation executed with insurers under the "adjust-your-own" program in 2006, except as may be mutually agreed to by the parties and except for such changes that the board determines are necessary to ensure that claims are adjusted appropriately. The corporation shall provide a process for neutral arbitration of any dispute between the corporation and the insurer regarding the terms of the contract. The corporation shall review and monitor the performance of insurers under these contracts.

19. Must limit coverage on mobile homes or manufactured homes built prior to 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to background checks as a prerequisite for employment. The office shall conduct background checks on such prospective employees pursuant to ss. 624.404(3), 624.34, and 628.261.

2. On or before July 1 of each year, employees of the corporation are required to sign and submit a statement attesting that they do not have a conflict of interest, as defined in part III of chapter 112. As a condition of employment, all prospective employees are required to sign and submit to the corporation a conflict-of-interest statement.

3. Senior managers and members of the board of governors are subject to the provisions of part III of chapter 112, including, but not limited to, the code of ethics and public disclosure and reporting of financial interests, pursuant to s. 112.3145. Senior managers and board members are also required to file such disclosures with the Office of Insurance Regulation. The executive director of the corporation or his or her designee shall notify each newly appointed and existing appointed member of the board of governors and senior managers of their duty to comply with the reporting requirements of part III of chapter 112. At least quarterly, the executive director or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers and members of the board of governors that are subject to the public disclosure requirements under s. 112.3145.

4. Notwithstanding s. 112.3148 or s. 112.3149, or any other provision of law, an employee or board member may not knowingly accept, directly or indirectly, any gift or expenditure from a person or entity, or an employee or representative of such person or entity, that has a contractual relationship with the corporation or who is under consideration for a contract. An employee or board member that fails to comply with this subparagraph is subject to penalties provided under ss. 112.317 and 112.3173.

5. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from representing another person or entity before the corporation for 2 years after retirement or termination of employment from the corporation.

6. Any employee of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from having any employment or contractual relationship for 2 years with an insurer that has received a take-out bonus from the corporation.

(e) Purchases that equal or exceed $2,500, but are less than $25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, whenever practical. The procurement of goods or services valued at or over $25,000 shall be subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(5)(f); or the procurement of services is subject to s. 627.3513. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over $100,000 are subject to approval by the board.

(f) The board shall determine whether it is more cost-effective and in the best interests of the corporation to use legal services provided by in-house attorneys employed by the corporation rather than contracting with outside counsel. In making such determination, the board shall document its findings and shall consider: the expertise needed; whether time commitments exceed in-house staff resources; whether local representation is needed; the travel, lodging and other costs associated with in-house representation; and such other factors that the board determines are relevant.

(g) The corporation may not retain a lobbyist to represent it before the legislative branch or executive branch. However, full-time employees of the corporation may register as lobbyists and represent the corporation before the legislative branch or executive branch.

(h)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by any employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(i) All records of the corporation, except as otherwise provided by law, are subject to the record retention requirements of s. 119.021.

(j)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the Division of Insurance Fraud within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

(k) The office shall conduct a comprehensive market conduct examination of the corporation every 2 years to determine compliance with its plan of operation and internal operations procedures. The first market conduct examination report shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2009. Subsequent reports shall be submitted on or before February 1 every 2 years thereafter.

(l) The Auditor General shall conduct an operational audit of the corporations every 3 years to evaluate management's performance in administering laws, policies, and procedures governing the operations of the corporation in an efficient and effective manner. The scope of the review shall include, but is not limited to, evaluating claims handling, customer service, take-out programs and bonuses, financing arrangements, procurement of goods and services, internal controls, and the internal audit function. The initial audit must be completed by February 1, 2009.

(m)~~(d)~~1.*a.* ~~It is the intent of the Legislature that the~~ Rates for coverage provided by the corporation *shall* be actuarially sound and not competitive with approved rates charged in the admitted voluntary market, so that the corporation functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. Rates shall include an appropriate catastrophe loading factor that reflects the actual catastrophic exposure of the corporation. *For policies in the personal lines account and the commercial lines account issued or renewed on or after March 1, 2007, a rate is deemed inadequate if the rate, including investment income, is not sufficient to provide for the procurement of coverage under the Florida Hurricane Catastrophe Fund and private reinsurance costs, whether or not reinsurance is procured, and to pay all claims and expenses reasonably expected to result from a 100-year probable maximum loss event without resort to any regular or emergency assessments, long-term debt, state revenues, or other funding sources. For policies in the high-risk account issued or renewed on or after March 1, 2007, a rate is deemed inadequate if the rate, including investment income, is not sufficient to provide for the procurement of coverage under the Florida Hurricane Catastrophe Fund and private reinsurance costs, whether or not reinsurance is procured, and to pay all claims and expenses reasonably expected to result from a 70-year probable maximum loss event with resort to any regular or emergency assessments, long-term debt, state revenues, or other funding sources. For policies in the high-risk account issued or renewed in 2008 and 2009, the rate must be based upon an 85-year and 100-year probable maximum loss event, respectively.*

b. It is the intent of the Legislature to reaffirm the requirement of rate adequacy in the residual market. Recognizing that rates may comply with the intent expressed in sub-subparagraph a. and yet be inadequate and recognizing the public need to limit subsidies within the residual market, it is the further intent of the Legislature to establish statutory standards for rate adequacy. Such standards are intended to supplement the standard specified in s. 627.062(2)(e)3., providing that rates are inadequate if they are clearly insufficient to sustain projected losses and expenses in the class of business to which they apply.

2. For each county, the average rates of the corporation for each line of business for personal lines residential policies excluding rates for wind-only policies shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 20 insurers with the greatest total direct written premium in the state for that line of business in the preceding year, except that with respect to mobile home coverages, the average rates of the corporation shall be no lower than the average rates charged by the insurer that had the highest average rate in that county among the 5 insurers with the greatest total written premium for mobile home owner's policies in the state in the preceding year.

3. Rates for personal lines residential wind-only policies must be actuarially sound and not competitive with approved rates charged by authorized insurers. *If the filing under this subparagraph is made at least 90 days before the proposed effective date and the filing is not implemented during the office's review of the filing and any proceeding and judicial review, such filing shall be considered a file and use filing. In such case, the office shall finalize its review by issuance of a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing. The notice of intent to approve and the notice of intent to disapprove constitute agency action for purposes of the Administrative Procedure Act. Requests for supporting information, requests for mathematical or mechanical corrections, or notification to the insurer by the office of its preliminary findings shall not toll the 90-day period during any such proceedings and subsequent judicial review. The rate shall be deemed approved if the office does not issue a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing.* Corporation rate manuals shall include a rate surcharge for seasonal occupancy. To ensure that personal lines residential wind-only rates are not competitive with approved rates charged by authorized insurers, the corporation, in conjunction with the office, shall develop a wind-only ratemaking methodology, which methodology shall be contained in each rate filing made by the corporation with the office. If the office determines that the wind-only rates or rating factors filed by the corporation fail to comply with the wind-only ratemaking methodology provided for in this subsection, it shall so notify the corporation and require the corporation to amend its rates or rating factors to come into compliance within 90 days of notice from the office.

4. The requirements of paragraph (m) that rates not be competitive with approved rates charged by authorized insurers do not apply in a county or area for which the office determines that no authorized insurer is offering coverage. The corporation shall amend its rates or rating factors for the affected county or area in conjunction with its next rate filing after such determination is made.

5.~~4.~~ For the purposes of establishing a pilot program to evaluate issues relating to the availability and affordability of insurance in an area where historically there has been little market competition, the provisions of subparagraph 2. do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies. The provisions of subparagraph 3. do not apply to coverage provided by the corporation in Monroe County if the office determines that a reasonable degree of competition does not exist for personal lines residential policies in the area of that county which is eligible for wind-only coverage. In this county, the rates for personal lines residential coverage shall be actuarially sound and not excessive, inadequate, or unfairly discriminatory and are subject to the other provisions of the paragraph and s. 627.062. The commission shall adopt rules establishing the criteria for determining whether a reasonable degree of competition exists for personal lines residential policies in Monroe County. By March 1, 2006, the office shall submit a report to the Legislature providing an evaluation of the implementation of the pilot program affecting Monroe County.

6.~~5.~~ Rates for commercial lines coverage shall not be subject to the requirements of subparagraph 2., but shall be subject to all other requirements of this paragraph and s. 627.062.

7.~~6.~~ Nothing in this paragraph shall require or allow the corporation to adopt a rate that is inadequate under s. 627.062.

8.~~7.~~ The corporation shall certify to the office at least twice annually that its personal lines rates comply with the requirements of subparagraphs 1.*,* ~~and~~ 2.*, and 3.* If any adjustment in the rates or rating factors of the corporation is necessary to ensure such compliance, the corporation shall make and implement such adjustments and file its revised rates and rating factors with the office. If the office thereafter determines that the revised rates and rating factors fail to comply with the provisions of subparagraphs 1.*,* ~~and~~ 2.*, and 3.,* it shall notify the corporation and require the corporation to amend its rates or rating factors in conjunction with its next rate filing. The office must notify the corporation by electronic means of any rate filing it approves for any insurer among the insurers referred to in subparagraph 2.

9.~~8.~~ In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided for in s. 624.509 to augment the financial resources of the corporation.

~~9.a. To assist the corporation in developing additional ratemaking methods to assure compliance with subparagraphs 1. and 4., the corporation shall appoint a rate methodology panel consisting of one person recommended by the Florida Association of Insurance Agents, one person recommended by the Professional Insurance Agents of Florida, one person recommended by the Florida Association of Insurance and Financial Advisors, one person recommended by the insurer with the highest voluntary market share of residential property insurance business in the state, one person recommended by the insurer with the second-highest voluntary market share of residential property insurance business in the state, one person recommended by an insurer writing commercial residential property insurance in this state, one person recommended by the Office of Insurance Regulation, and one board member designated by the board chairman, who shall serve as chairman of the panel.~~

~~b. By January 1, 2004, the rate methodology panel shall provide a report to the corporation of its findings and recommendations for the use of additional ratemaking methods and procedures, including the use of a rate equalization surcharge in an amount sufficient to assure that the total cost of coverage for policyholders or applicants to the corporation is sufficient to comply with subparagraph 1.~~

~~c. Within 30 days after such report, the corporation shall present to the President of the Senate, the Speaker of the House of Representatives, the minority party leaders of each house of the Legislature, and the chairs of the standing committees of each house of the Legislature having jurisdiction of insurance issues, a plan for implementing the additional ratemaking methods and an outline of any legislation needed to facilitate use of the new methods.~~

~~d. The plan must include a provision that producer commissions paid by the corporation shall not be calculated in such a manner as to include any rate equalization surcharge. However, without regard to the plan to be developed or its implementation, producer commissions paid by the corporation for each account, other than the quota share primary program, shall remain fixed as to percentage, effective rate, calculation, and payment method until January 1, 2004.~~

10. ~~By January 1, 2004,~~ The corporation shall develop a notice to policyholders or applicants that the rates of Citizens Property Insurance Corporation are intended to be higher than the rates of any admitted carrier and providing other information the corporation deems necessary to assist consumers in finding other voluntary admitted insurers willing to insure their property.

11. After the public hurricane loss-projection model under s. 627.06281 has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology, that model shall serve as the minimum benchmark for determining the windstorm portion of the corporation's rates. This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.

(n)~~(e)~~ If coverage in an account is deactivated pursuant to paragraph (f), coverage through the corporation shall be reactivated by order of the office only under one of the following circumstances:

1. If the market assistance plan receives a minimum of 100 applications for coverage within a 3-month period, or 200 applications for coverage within a 1-year period or less for residential coverage, unless the market assistance plan provides a quotation from admitted carriers at their filed rates for at least 90 percent of such applicants. Any market assistance plan application that is rejected because an individual risk is so hazardous as to be uninsurable using the criteria specified in subparagraph (c)8. shall not be included in the minimum percentage calculation provided herein. In the event that there is a legal or administrative challenge to a determination by the office that the conditions of this subparagraph have been met for eligibility for coverage in the corporation, any eligible risk may obtain coverage during the pendency of such challenge.

2. In response to a state of emergency declared by the Governor under s. 252.36, the office may activate coverage by order for the period of the emergency upon a finding by the office that the emergency significantly affects the availability of residential property insurance.

(o)~~(f)~~1. The corporation shall file with the office quarterly statements of financial condition, an annual statement of financial condition, and audited financial statements in the manner prescribed by law. In addition, the corporation shall report to the office monthly on the types, premium, exposure, and distribution by county of its policies in force, and shall submit other reports as the office requires to carry out its oversight of the corporation.

2. The activities of the corporation shall be reviewed at least annually by the office to determine whether coverage shall be deactivated in an account on the basis that the conditions giving rise to its activation no longer exist.

(p)~~(g)~~1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems to be necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessment due from each assessable insurer, including, if prudent, filing suit to collect such assessment. If the corporation is unable to collect an assessment from any assessable insurer, the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying assessable insurer. Assessments shall be included as an appropriate factor in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is considered to be a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.

2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 from time to time to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the corporation, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into such contracts with the corporation and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this subparagraph shall be payable from and secured by moneys received by the corporation

from emergency assessments under sub-subparagraph (b)3.d., and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the office shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the office determines that the purchase would endanger or impair the solvency of the insurer.

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings in the corporation. *Beginning January 1, 2008, any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation shall comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed.* The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments under sub-subparagraphs (b)3.a. and b. *However, any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured.* When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

b. Any credit or exemption from regular assessments adopted under this subparagraph shall last no longer than the 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

c. There shall be no credit, limitation, exemption, or deferment from emergency assessments to be collected from policyholders pursuant to sub-subparagraph (b)3.d.

4. The plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.d., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).

5. Effective July 1, 2007, in order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

(q)~~(h)~~ Nothing in this subsection shall be construed to preclude the issuance of residential property insurance coverage pursuant to part VIII of chapter 626.

(r)~~(i)~~ There shall be no liability on the part of, and no cause of action of any nature shall arise against, any assessable insurer or its agents or employees, the corporation or its agents or employees, members of the board of governors or their respective designees at a board meeting, corporation committee members, or the office or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to:

1. Any of the foregoing persons or entities for any willful tort;

2. The corporation or its producing agents for breach of any contract or agreement pertaining to insurance coverage;

3. The corporation with respect to issuance or payment of debt; or

4. Any assessable insurer with respect to any action to enforce an assessable insurer's obligations to the corporation under this subsection.

(s)~~(j)~~ For the purposes of s. 199.183(1), the corporation shall be considered a political subdivision of the state and shall be exempt from the corporate income tax. The premiums, assessments, investment income, and other revenue of the corporation are funds received for providing property insurance coverage as required by this subsection, paying claims for Florida citizens insured by the corporation, securing and repaying debt obligations issued by the corporation, and conducting all other activities of the corporation, and shall not be considered taxes, fees, licenses, or charges for services imposed by the Legislature on individuals, businesses, or agencies outside state government. Bonds and other debt obligations issued by or on behalf of the corporation are not to be considered "state bonds" within the meaning of s. 215.58(8). The corporation is not subject to the procurement provisions of chapter 287, and policies and decisions of the corporation relating to incurring debt, levying of assessments and the sale, issuance, continuation, terms and claims under corporation policies, and all services relating thereto, are not subject to the provisions of chapter 120. The corporation is not required to obtain or to hold a certificate of authority issued by the office, nor is it required to participate as a member insurer of the Florida Insurance Guaranty Association. However, the corporation is required to pay, in the same manner as an authorized insurer, assessments pledged by the Florida Insurance Guaranty Association to secure bonds issued or other indebtedness incurred to pay covered claims arising from insurer insolvencies caused by, or proximately related to, hurricane losses. It is the intent of the Legislature that the tax exemptions provided in this paragraph will augment the financial resources of the corporation to better enable the corporation to fulfill its public purposes. Any *debt obligations* ~~bonds~~ issued by the corporation, their transfer, and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state and any political subdivision or local unit or other instrumentality thereof; however, this exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the corporation.

(t)~~(k)~~ Upon a determination by the office that the conditions giving rise to the establishment and activation of the corporation no longer exist, the corporation is dissolved. Upon dissolution, the assets of the corporation shall be applied first to pay all debts, liabilities, and obligations of the corporation, including the establishment of reasonable reserves for any contingent liabilities or obligations, and all remaining assets of the corporation shall become property of the state and shall be deposited in the Florida Hurricane Catastrophe Fund. However, no dissolution shall take effect as long as the corporation has bonds or other financial obligations outstanding unless adequate provision has been made for the payment of the bonds or other financial obligations pursuant to the documents authorizing the issuance of the bonds or other financial obligations.

(u)~~(l)~~1. Effective July 1, 2002, policies of the Residential Property and Casualty Joint Underwriting Association shall become policies of the corporation. All obligations, rights, assets and liabilities of the Residential Property and Casualty Joint Underwriting Association, including bonds, note and debt obligations, and the financing documents per-

taining to them become those of the corporation as of July 1, 2002. The corporation is not required to issue endorsements or certificates of assumption to insureds during the remaining term of in-force transferred policies.

2. Effective July 1, 2002, policies of the Florida Windstorm Underwriting Association are transferred to the corporation and shall become policies of the corporation. All obligations, rights, assets, and liabilities of the Florida Windstorm Underwriting Association, including bonds, note and debt obligations, and the financing documents pertaining to them are transferred to and assumed by the corporation on July 1, 2002. The corporation is not required to issue endorsement or certificates of assumption to insureds during the remaining term of in-force transferred policies.

3. The Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association shall take all actions as may be proper to further evidence the transfers and shall provide the documents and instruments of further assurance as may reasonably be requested by the corporation for that purpose. The corporation shall execute assumptions and instruments as the trustees or other parties to the financing documents of the Florida Windstorm Underwriting Association or the Residential Property and Casualty Joint Underwriting Association may reasonably request to further evidence the transfers and assumptions, which transfers and assumptions, however, are effective on the date provided under this paragraph whether or not, and regardless of the date on which, the assumptions or instruments are executed by the corporation. Subject to the relevant financing documents pertaining to their outstanding bonds, notes, indebtedness, or other financing obligations, the moneys, investments, receivables, choses in action, and other intangibles of the Florida Windstorm Underwriting Association shall be credited to the high-risk account of the corporation, and those of the personal lines residential coverage account and the commercial lines residential coverage account of the Residential Property and Casualty Joint Underwriting Association shall be credited to the personal lines account and the commercial lines account, respectively, of the corporation.

4. Effective July 1, 2002, a new applicant for property insurance coverage who would otherwise have been eligible for coverage in the Florida Windstorm Underwriting Association is eligible for coverage from the corporation as provided in this subsection.

5. The transfer of all policies, obligations, rights, assets, and liabilities from the Florida Windstorm Underwriting Association to the corporation and the renaming of the Residential Property and Casualty Joint Underwriting Association as the corporation shall in no way affect the coverage with respect to covered policies as defined in s. 215.555(2)(c) provided to these entities by the Florida Hurricane Catastrophe Fund. The coverage provided by the Florida Hurricane Catastrophe Fund to the Florida Windstorm Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter shall be redesignated as coverage for the high-risk account of the corporation. Notwithstanding any other provision of law, the coverage provided by the Florida Hurricane Catastrophe Fund to the Residential Property and Casualty Joint Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter shall be transferred to the personal lines account and the commercial lines account of the corporation. Notwithstanding any other provision of law, the high-risk account shall be treated, for all Florida Hurricane Catastrophe Fund purposes, as if it were a separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement. Likewise, the personal lines and commercial lines accounts shall be viewed together, for all Florida Hurricane Catastrophe Fund purposes, as if the two accounts were one and represent a single, separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement. The coverage provided by the Florida Hurricane Catastrophe Fund to the corporation shall constitute and operate as a full transfer of coverage from the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting to the corporation.

(v)~~(m)~~ Notwithstanding any other provision of law:

1. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the corporation created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the corporation shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the corporation under the laws of this state.

2. No such proceeding shall relieve the corporation of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, market equalization or other surcharges under subparagraph (c)10., or any other rights, revenues, or other assets of the corporation pledged pursuant to any financing documents.

3. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, market equalization or other surcharges, or other rights, revenues, or other assets which are collected, or levied and collected, after the commencement of and during the pendency of, or after, any such proceeding shall continue unaffected by such proceeding. As used in this subsection, the term "financing documents" means any agreement or agreements, instrument or instruments, or other document or documents now existing or hereafter created evidencing any bonds or other indebtedness of the corporation or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the corporation are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation or financial product, as defined in the plan of operation of the corporation related to such bonds or indebtedness.

4. Any such pledge or sale of assessments, revenues, contract rights, or other rights or assets of the corporation shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, or contract rights or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the corporation or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, or contract rights or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

5. As long as the corporation has any bonds outstanding, the corporation may not file a voluntary petition under chapter 9 of the federal Bankruptcy Code or such corresponding chapter or sections as may be in effect, from time to time, and a public officer or any organization, entity, or other person may not authorize the corporation to be or become a debtor under chapter 9 of the federal Bankruptcy Code or such corresponding chapter or sections as may be in effect, from time to time, during any such period.

6. If ordered by a court of competent jurisdiction, the corporation may assume policies or otherwise provide coverage for policyholders of an insurer placed in liquidation under chapter 631, under such forms, rates, terms, and conditions as the corporation deems appropriate, subject to approval by the office.

(w)~~(n)~~1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files.

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided for herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation

is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information which is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty which affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law will be redacted.

When an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. When a file is transferred to an insurer that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff of and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to licensed general lines insurance agents: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving licensed general lines insurance agent must retain the confidentiality of the information received.

2. Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(b)-(d), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

(x)~~(o)~~ It is the intent of the Legislature that the amendments to this subsection enacted in 2002 should, over time, reduce the probable maximum windstorm losses in the residual markets and should reduce the potential assessments to be levied on property insurers and policyholders statewide. In furtherance of this intent:

1. The board shall, on or before February 1 of each year, provide a report to the President of the Senate and the Speaker of the House of Representatives showing the reduction or increase in the 100-year probable maximum loss attributable to wind-only coverages and the quota share program under this subsection combined, as compared to the benchmark 100-year probable maximum loss of the Florida Windstorm Underwriting Association. For purposes of this paragraph, the benchmark 100-year probable maximum loss of the Florida Windstorm Underwriting Association shall be the calculation dated February 2001 and based on November 30, 2000, exposures. In order to ensure comparability of data, the board shall use the same methods for calculating its probable maximum loss as were used to calculate the benchmark probable maximum loss.

2. Beginning February 1, *2010* ~~2007~~, if the report under subparagraph 1. for any year indicates that the 100-year probable maximum loss attributable to wind-only coverages and the quota share program combined does not reflect a reduction of at least 25 percent from the benchmark, the board shall reduce the boundaries of the high-risk area eligible for wind-only coverages under this subsection in a manner calculated to reduce such probable maximum loss to an amount at least 25 percent below the benchmark.

3. Beginning February 1, *2015* ~~2012~~, if the report under subparagraph 1. for any year indicates that the 100-year probable maximum loss attributable to wind-only coverages and the quota share program combined does not reflect a reduction of at least 50 percent from the benchmark, the boundaries of the high-risk area eligible for wind-only coverages under this subsection shall be reduced by the elimination of any area that is not seaward of a line 1,000 feet inland from the Intracoastal Waterway.

(y)~~(p)~~ In enacting the provisions of this section, the Legislature recognizes that both the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association have entered into financing arrangements that obligate each entity to service its debts and maintain the capacity to repay funds secured under these financing arrangements. It is the intent of the Legislature that nothing in this section be construed to compromise, diminish, or interfere with the rights of creditors under such financing arrangements. It is further the intent of the Legislature to preserve the obligations of the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting Association with regard to outstanding financing arrangements, with such obligations passing entirely and unchanged to the corporation and, specifically, to the applicable account of the corporation. So long as any bonds, notes, indebtedness, or other financing obligations of the Florida Windstorm Underwriting Association or the Residential Property and Casualty Joint Underwriting Association are outstanding, under the terms of the financing documents pertaining to them, the governing board of the corporation shall have and shall exercise the authority to levy, charge, collect, and receive all premiums, assessments, surcharges, charges, revenues, and receipts that the associations had authority to levy, charge, collect, or receive under the provisions of subsection (2) and this subsection, respectively, as they existed on January 1, 2002, to provide moneys, without exercise of the authority provided by this subsection, in at least the amounts, and by the times, as would be provided under those former provisions of subsection (2) or this subsection, respectively, so that the value, amount, and collectability of any assets, revenues, or revenue source pledged or committed to, or any lien thereon securing such outstanding bonds, notes, indebtedness, or other financing obligations will not be diminished, impaired, or adversely affected by the amendments made by this act and to permit compliance with all provisions of financing documents pertaining to such bonds, notes, indebtedness, or other financing obligations, or the security or credit enhancement for them, and any reference in this subsection to bonds, notes, indebtedness, financing obligations, or similar obligations, of the corporation shall include like instruments or contracts of the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association to the extent not inconsistent with the provisions of the financing documents pertaining to them.

(z)~~(q)~~ The corporation shall not require the securing of flood insurance as a condition of coverage if the insured or applicant executes a form approved by the office affirming that flood insurance is not provided by the corporation and that if flood insurance is not secured by the applicant or insured in addition to coverage by the corporation, the risk will not be covered for flood damage. A corporation policyholder electing not to secure flood insurance and executing a form as provided herein making a claim for water damage against the corporation shall have the

burden of proving the damage was not caused by flooding. Notwithstanding other provisions of this subsection, the corporation may deny coverage to an applicant or insured who refuses to execute the form described herein.

(aa)~~(r)~~ A salaried employee of the corporation who performs policy administration services subsequent to the effectuation of a corporation policy is not required to be licensed as an agent under the provisions of s. 626.112.

(bb) By February 1, 2007, the corporation shall submit a report to the President of the Senate, the Speaker of the House of Representatives, the minority party leaders of the Senate and the House of Representatives, and the chairs of the standing committees of the Senate and the House of Representatives having jurisdiction over matters relating to property and casualty insurance. In preparing the report, the corporation shall consult with the Office of Insurance Regulation, the Department of Financial Services, and any other party the corporation determines appropriate. The report must include all findings and recommendations on the feasibility of requiring authorized insurers that issue and service personal and commercial residential policies and commercial nonresidential policies that provide coverage for basic property perils except for the peril of wind to issue and service for a fee personal and commercial residential policies and commercial nonresidential policies providing coverage for the peril of wind issued by the corporation. The report must include:

1. The expense savings to the corporation of issuing and servicing such policies as determined by a cost-benefit analysis.

2. The expenses and liability to authorized insurers associated with issuing and servicing such policies.

3. The effect on service to policyholders of the corporation relating to issuing and servicing such policies.

4. The effect on the producing agent of the corporation of issuing and servicing such policies.

5. Recommendations as to the amount of the fee which should be paid to authorized insurers for issuing and servicing such policies.

6. The effect that issuing and servicing such policies will have on the corporation's number of policies, total insured value, and probable maximum loss.

(cc) There shall be no liability on the part of, and no cause of action of any nature shall arise against, producing agents of record of the corporation or employees of such agents for insolvency of any take-out insurer.

(dd)1. For policies subject to nonrenewal as a result of the risk being no longer eligible for coverage due to being valued at $1 million or more, the corporation shall, directly or through the market assistance plan, make information from confidential underwriting and claims files of policyholders available only to licensed general lines agents who register with the corporation to receive such information according to the following procedures:

2. By August 1, 2006, the corporation shall provide such policyholders who are not eligible for renewal the opportunity to request in writing, within 30 days after the notification is sent, that information from their confidential underwriting and claims files not be released to licensed general lines agents registered pursuant to this paragraph.

3. By August 1, 2006, the corporation shall make available to licensed general lines agents the registration procedures to be used to obtain confidential information from underwriting and claims files for such policies not eligible for renewal. As a condition of registration, the corporation shall require the licensed general lines agent to attest that the agent has the experience and relationships with authorized or surplus lines carriers to attempt to offer replacement coverage for such policies.

4. By September 1, 2006, the corporation shall make available through a secured website to licensed general lines agents registered pursuant to this paragraph application, rating, loss history, mitigation, and policy type information relating to such policies not eligible for renewal and for which the policyholder has not requested the corporation withhold such information. The registered licensed general lines agent may use such information to contact and assist the policyholder in securing replacement policies and the agent may disclose to the policyholder that such information was obtained from the corporation.

Section 16. *The amendments made by this act to s. 627.351(6), Florida Statutes, which change the method for calculating and determining the assessments and surcharges that must be levied or collected to fund deficits in Citizens Property Insurance Corporation apply to a deficit incurred by the corporation for calendar year 2006 and thereafter.*

Section 17. Effective July 1, 2006, paragraph (a) of subsection (5) of section 627.3511, Florida Statutes, is amended to read:

627.3511 Depopulation of Citizens Property Insurance Corporation.—

(5) APPLICABILITY.—

(a) The take-out bonus provided by subsection (2) and the exemption from assessment provided by paragraph (3)(a) apply only if the corporation policy is replaced by either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage; however, with respect to risks located in areas where coverage through the high-risk account of the corporation is available, the replacement policy need not provide wind coverage. The insurer must renew the replacement policy at approved rates on substantially similar terms for *four* ~~two~~ additional 1-year terms, unless canceled *or not renewed* by the *policyholder* ~~insurer for a lawful reason other than reduction of hurricane exposure~~. If an insurer assumes the corporation's obligations for a policy, it must issue a replacement policy for a 1-year term upon expiration of the corporation policy and must renew the replacement policy at approved rates on substantially similar terms for *four* ~~two~~ additional 1-year terms, unless canceled *or not renewed* by the *policyholder* ~~insurer for a lawful reason other than reduction of hurricane exposure~~. For each replacement policy canceled or nonrenewed by the insurer for any reason during the *5-year* ~~3-year~~ coverage period required by this paragraph, the insurer must remove from the corporation one additional policy covering a risk similar to the risk covered by the canceled or nonrenewed policy. In addition to these requirements, the corporation must place the bonus moneys in escrow for a period of *5* ~~3~~ years; such moneys may be released from escrow only to pay claims. *If the policy is canceled or nonrenewed before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured.* A take-out bonus provided by subsection (2) or subsection (6) shall not be considered premium income for purposes of taxes and assessments under the Florida Insurance Code and shall remain the property of the corporation, subject to the prior security interest of the insurer under the escrow agreement until it is released from escrow, and after it is released from escrow it shall be considered an asset of the insurer and credited to the insurer's capital and surplus.

Section 18. Subsection (1) of section 627.3512, Florida Statutes, is amended to read:

627.3512 Recoupment of residual market deficit assessments.—

(1) An insurer or insurer group may recoup any assessments that have been paid during or after 1995 by the insurer or insurer group to defray deficits of an insurance risk apportionment plan or assigned risk plan under ss. 627.311 and 627.351, net of any earnings returned to the insurer or insurer group by the association or plan for any year after 1993. *A limited apportionment company as defined in s. 627.351(6)(c) may recoup any regular assessment that has been levied by, or paid to, Citizens Property Insurance Corporation.* The recoupment shall be made by applying a separate assessment factor on policies of the same line or type as were considered by the residual markets in determining the assessment liability of the insurer or insurer group. An insurer or insurer group shall calculate a separate assessment factor for personal lines and commercial lines. The separate assessment factor shall provide for full recoupment of the assessments over a period of 1 year, unless the insurer or insurer group, at its option, elects to recoup the assessments over a longer period. The assessment factor expires upon collection of the full amount allowed to be recouped. Amounts recouped under this section are not subject to premium taxes, fees, or commissions.

Section 19. Effective July 1, 2006, section 627.3517, Florida Statutes, is amended to read:

627.3517 Consumer choice.—

(1) Except as provided in subsection (2), no provision of s. 627.351, s. 627.3511, or s. 627.3515 shall be construed to impair the right of any insurance risk apportionment plan policyholder, upon receipt of any keepout or take-out offer, to retain his or her current agent, so long as that agent is duly licensed and appointed by the insurance risk apportionment plan or otherwise authorized to place business with the insurance risk apportionment plan. This right shall not be canceled, suspended, impeded, abridged, or otherwise compromised by any rule, plan of operation, or depopulation plan, whether through keepout, take-out, midterm assumption, or any other means, of any insurance risk apportionment plan or depopulation plan, including, but not limited to, those described in s. 627.351, s. 627.3511, or s. 627.3515. The commission shall adopt any rules necessary to cause any insurance risk apportionment plan or market assistance plan under such sections to demonstrate that the operations of the plan do not interfere with, promote, or allow interference with the rights created under this section. If the policyholder's current agent is unable or unwilling to be appointed with the insurer making the take-out or keepout offer, the policyholder shall not be disqualified from participation in the appropriate insurance risk apportionment plan because of an offer of coverage in the voluntary market. An offer of full property insurance coverage by the insurer currently insuring either the ex-wind or wind-only coverage on the policy to which the offer applies shall not be considered a take-out or keepout offer. Any rule, plan of operation, or plan of depopulation, through keepout, take-out, midterm assumption, or any other means, of any property insurance risk apportionment plan under s. 627.351(2) or (6) is subject to ss. 627.351(2)(b) and (6)(c) and 627.3511(4).

(2) This section does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation under s. 627.351(6), whether or not coverage is bound during this period.

Section 20. Section 627.3519, Florida Statutes, is created to read:

627.3519 Annual report of aggregate net probable maximum losses, financing options, and potential assessments.—No later than February 1 of each year, the Financial Services Commission shall provide to the Legislature a report of the aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation. The report must include the respective 50-year, 100-year, and 250-year probable maximum losses of the fund and the corporation; analysis of all reasonable financing strategies for each such probable maximum loss, including the amount and term of debt instruments; specification of the percentage assessments that would be needed to support each of the financing strategies; and calculations of the aggregate assessment burden on Florida property and casualty policyholders for each of the probable maximum losses. The commission shall require the fund and the corporation to provide the commission with such data and analysis as the commission considers necessary to prepare the report.

Section 21. Paragraph (b) of subsection (3) of section 627.4035, Florida Statutes, is amended to read:

627.4035 Cash payment of premiums; claims.—

(3) All payments of claims made in this state under any contract of insurance shall be paid:

(b) If authorized in writing by the recipient or the recipient's representative, by debit card or any other form of electronic transfer. Any fees or costs to be charged against the recipient must be disclosed in writing to the recipient or the recipient's representative at the time of written authorization. *However, the written authorization requirement may be waived by the recipient or the recipient's representative if the insurer verifies the identity of the insured or the insured's recipient and does not charge a fee for the transaction. If the funds are misdirected, the insurer remains liable for the payment of the claim.*

Section 22. Section 627.6121, Florida Statutes, is created to read:

627.6121 Payment of claims for dual interest property.—For policies issued or renewed on or after October 1, 2006, a property insurer shall transmit claims payments directly to the primary policyholder by check or other allowable payment method, payable to the primary policyholder only, without requiring a dual endorsement from any mortgageholder or lienholder, for amounts payable under the policy for personal property and contents, additional living expenses, and other covered items that are not subject to a recorded security interest that is noted in the dual interest provision of the policy.

Section 23. Subsection (2) of section 627.7011, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

627.7011 Homeowners' policies; offer of replacement cost coverage and law and ordinance coverage.—

(2) Unless the insurer obtains the policyholder's written refusal of the policies or endorsements specified in subsection (1), any policy covering the dwelling is deemed to include the *law and ordinance* coverage *limited to 25 percent of the dwelling limit* ~~specified in paragraph (1)(b)~~. The rejection or selection of alternative coverage shall be made on a form approved by the office. The form shall fully advise the applicant of the nature of the coverage being rejected. If this form is signed by a named insured, it will be conclusively presumed that there was an informed, knowing rejection of the coverage or election of the alternative coverage on behalf of all insureds. Unless the policyholder requests in writing the coverage specified in this section, it need not be provided in or supplemental to any other policy that renews, insures, extends, changes, supersedes, or replaces an existing policy when the policyholder has rejected the coverage specified in this section or has selected alternative coverage. The insurer must provide such policyholder with notice of the availability of such coverage in a form approved by the office at least once every 3 years. The failure to provide such notice constitutes a violation of this code, but does not affect the coverage provided under the policy.

(6) This section does not prohibit an insurer from limiting its liability under a policy or endorsement providing that loss will be adjusted on the basis of replacement costs to the lesser of:

(a) The limit of liability shown on the policy declarations page;

(b) The reasonable and necessary cost to repair the damaged, destroyed, or stolen covered property; or

(c) The reasonable and necessary cost to replace the damaged, destroyed, or stolen covered property.

Section 24. Section 627.7019, Florida Statutes, is created to read:

627.7019 Standardization of requirements applicable to insurers after natural disasters.—

(1) The commission shall adopt by rule, pursuant to s. 120.54(1)-(3), standardized requirements that may be applied to insurers as a consequence of a hurricane or other natural disaster. The rules shall address the following areas:

(a) Claims reporting requirements.

(b) Grace periods for payment of premiums and performance of other duties by insureds.

(c) Temporary postponement of cancellations and nonrenewals.

(2) The rules adopted under this section shall require the office to issue an order within 72 hours after the occurrence of a hurricane or other natural disaster specifying, by line of insurance, which of the standardized requirements apply, the geographic areas in which they apply, the time at which applicability commences, and the time at which applicability terminates.

(3) Any emergency rule adopted under s. 120.54(4) which is in conflict with any provision of the rules adopted under this section must be by unanimous vote of the commission.

Section 25. Effective October 1, 2006, subsection (1) and paragraph (d) of subsection (2) of section 627.706, Florida Statutes, are amended to read:

627.706 Sinkhole insurance; definitions.—

(1) Every insurer authorized to transact property insurance in this state shall make available coverage for insurable sinkhole losses on any structure, including contents of personal property contained therein, to the extent provided in the form to which the sinkhole coverage attaches.

A policy for residential property insurance may include a deductible amount applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with appropriate premium discounts offered with each deductible amount.

(2) As used in ss. 627.706-627.7074, and as used in connection with any policy providing coverage for sinkhole losses:

(d) "*Professional* engineer" means a person, as defined in s. 471.005, who has a bachelor's degree or higher in engineering with a specialty in the geotechnical engineering field. *A professional* ~~An~~ engineer must have geotechnical experience and expertise in the identification of sinkhole activity as well as other potential causes of damage to the structure.

Section 26. Subsections (2), (3), (5), (6), and (9) of section 627.707, Florida Statutes, are amended to read:

627.707 Standards for investigation of sinkhole claims by insurers; nonrenewals.—Upon receipt of a claim for a sinkhole loss, an insurer must meet the following standards in investigating a claim:

(2) Following the insurer's initial inspection, the insurer shall engage *a professional* ~~an~~ engineer or a professional geologist to conduct testing as provided in s. 627.7072 to determine the cause of the loss within a reasonable professional probability and issue a report as provided in s. 627.7073, if:

(a) The insurer is unable to identify a valid cause of the damage or discovers damage to the structure which is consistent with sinkhole loss; or

(b) The policyholder demands testing in accordance with this section or s. 627.7072.

(3) Following the initial inspection of the insured premises, the insurer shall provide written notice to the policyholder disclosing the following information:

(a) What the insurer has determined to be the cause of damage, if the insurer has made such a determination.

(b) A statement of the circumstances under which the insurer is required to engage *a professional* ~~an~~ engineer or a professional geologist to verify or eliminate sinkhole loss and to engage *a professional* ~~an~~ engineer to make recommendations regarding land and building stabilization and foundation repair.

(c) A statement regarding the right of the policyholder to request testing by *a professional* ~~an~~ engineer or a professional geologist and the circumstances under which the policyholder may demand certain testing.

(5)(a) Subject to paragraph (b), if a sinkhole loss is verified, the insurer shall pay to stabilize the land and building and repair the foundation in accordance with the recommendations of the *professional* engineer as provided under s. 627.7073, and in consultation with the policyholder, subject to the coverage and terms of the policy. The insurer shall pay for other repairs to the structure and contents in accordance with the terms of the policy.

(b) The insurer may limit its payment to the actual cash value of the sinkhole loss, not including underpinning or grouting or any other repair technique performed below the existing foundation of the building, until the policyholder enters into a contract for the performance of building stabilization or foundation repairs. After the policyholder enters into the contract, the insurer shall pay the amounts necessary to begin and perform such repairs as the work is performed and the expenses are incurred. The insurer may not require the policyholder to advance payment for such repairs. If repair *covered by a personal lines residential property insurance policy* has begun and the *professional* engineer selected or approved by the insurer determines that the repair cannot be completed within the policy limits, the insurer must either complete the *professional* engineer's recommended repair or tender the policy limits to the policyholder without a reduction for the repair expenses incurred.

(c) Upon the insurer's obtaining the written approval of the policyholder and any lienholder, the insurer may make payment directly to the persons selected by the policyholder to perform the land and building stabilization and foundation repairs. The decision by the insurer to make payment to such persons does not hold the insurer liable for the work performed.

(6) Except as provided in subsection (7), the fees and costs of the *professional* engineer or the professional geologist shall be paid by the insurer.

(9) The insurer may engage a *professional* structural engineer to make recommendations as to the repair of the structure.

Section 27. Section 627.7072, Florida Statutes, is amended to read:

627.7072 Testing standards for sinkholes.—

~~(1)~~ The *professional* engineer and professional geologist shall perform such tests as sufficient, in their professional opinion, to determine the presence or absence of sinkhole loss or other cause of damage within reasonable professional probability and for the *professional* engineer to make recommendations regarding necessary building stabilization and foundation repair.

~~(2) Testing by a professional geologist shall be conducted in compliance with the Florida Geological Survey Special Publication No. 57 (2005).~~

Section 28. Subsections (1) and (2) of section 627.7073, Florida Statutes, are amended to read:

627.7073 Sinkhole reports.—

(1) Upon completion of testing as provided in s. 627.7072, the *professional* engineer *or* ~~and~~ professional geologist shall issue a report and certification to the insurer and the policyholder as provided in this section.

(a) Sinkhole loss is verified if, based upon tests performed in accordance with s. 627.7072, *a professional* ~~an~~ engineer *or* ~~and~~ a professional geologist *issues* ~~issue~~ a written report and certification stating:

1. That the cause of the actual physical and structural damage is sinkhole activity within a reasonable professional probability.

2. That the analyses conducted were of sufficient scope to identify sinkhole activity as the cause of damage within a reasonable professional probability.

3. A description of the tests performed.

4. A recommendation by the *professional* engineer of methods for stabilizing the land and building and for making repairs to the foundation.

(b) If sinkhole activity is eliminated as the cause of damage to the structure, the *professional* engineer *or* ~~and~~ professional geologist shall issue a written report and certification to the policyholder and the insurer stating:

1. That the cause of the damage is not sinkhole activity within a reasonable professional probability.

2. That the analyses and tests conducted were of sufficient scope to eliminate sinkhole activity as the cause of damage within a reasonable professional probability.

3. A statement of the cause of the damage within a reasonable professional probability.

4. A description of the tests performed.

(c) The respective findings, opinions, and recommendations of the *professional* engineer *or* ~~and~~ professional geologist as to the *cause of distress to the property* ~~verification or elimination of a sinkhole loss~~ and the findings, opinions, and recommendations of the *professional* engineer as to land and building stabilization and foundation repair shall be presumed correct.

(2)*(a)* Any insurer that has paid a claim for a sinkhole loss shall file a copy of the report and certification, prepared pursuant to subsection (1), *including the legal description of the real property and the name of the property owner,* with the county *clerk of court* ~~property appraiser~~,

who shall record the report and certification ~~with the parcel number~~. The insurer shall bear the cost of filing and recording the report and certification. There shall be no cause of action or liability against an insurer for compliance with this section. *The recording of the report and certification does not:*

1. Constitute a lien, encumbrance, or restriction on the title to the real property or constitute a defect in the title to the real property;

2. Create any cause of action or liability against any grantor of the real property for breach of any warranty of good title or warranty against encumbrances; or

3. Create any cause of action or liability against any title insurer that insures the title to the real property.

(b) The seller of real property upon which a sinkhole claim has been made *by the seller and paid by the insurer* shall disclose to the buyer of such property that a claim has been paid and whether or not the full amount of the proceeds were used to repair the sinkhole damage.

Section 29. Effective October 1, 2006, section 627.7074, Florida Statutes, is created to read:

627.7074 Alternative procedure for resolution of disputed sinkhole insurance claims.—

(1) As used in this section, the term:

(a) "Neutral evaluation" means the alternative dispute resolution provided for in this section.

(b) "Neutral evaluator" means a professional engineer or a professional geologist who has completed a course of study in alternative dispute resolution designed or approved by the department for use in the neutral evaluation process, who is determined to be fair and impartial.

(2)(a) The department shall certify and maintain a list of persons who are neutral evaluators.

(b) The department shall prepare a consumer information pamphlet for distribution by insurers to policyholders which clearly describes the neutral evaluation process and includes information and forms necessary for the policyholder to request a neutral evaluation.

(3) Following the receipt of the report provided under s. 627.7073 or the denial of a claim for a sinkhole loss, the insurer shall notify the policyholder of his or her right to participate in the neutral evaluation program under this section. Neutral evaluation supersedes the alternative dispute resolution process under s. 627.7015. The insurer shall provide to the policyholder the consumer information pamphlet prepared by the department pursuant to paragraph (2)(b).

(4) Neutral evaluation is nonbinding, but mandatory if requested by either party. A request for neutral evaluation may be filed with the department by the policyholder or the insurer on a form approved by the department. The request for neutral evaluation must state the reason for the request and must include an explanation of all the issues in dispute at the time of the request. Filing a request for neutral evaluation tolls the applicable time requirements for filing suit for a period of 60 days following the conclusion of the neutral evaluation process or the time prescribed in s. 95.11, whichever is later.

(5) Neutral evaluation shall be conducted as an informal process in which formal rules of evidence and procedure need not be observed. A party to neutral evaluation is not required to attend neutral evaluation if a representative of the party attends and has the authority to make a binding decision on behalf of the party. All parties shall participate in the evaluation in good faith.

(6) The insurer shall pay the costs associated with the neutral evaluation.

(7) Upon receipt of a request for neutral evaluation, the department shall provide the parties a list of certified neutral evaluators. The parties shall mutually select a neutral evaluator from the list and promptly inform the department. If the parties cannot agree to a neutral evaluator within 10 business days, the department shall appoint a neutral evaluator from the department list. Upon selection or appointment, the department shall promptly refer the request to the neutral evaluator. Within 5 business days after the referral, the neutral evaluator shall notify the policyholder and the insurer of the date, time, and place of the neutral evaluation conference. The conference may be held by telephone, if feasible and desirable. The neutral evaluation conference shall be held within 45 days after the receipt of the request by the department.

(8) The department shall adopt rules of procedure for the neutral evaluation process.

(9) For policyholders not represented by an attorney, a consumer affairs specialist of the department or an employee designated as the primary contact for consumers on issues relating to sinkholes under s. 20.121 shall be available for consultation to the extent that he or she may lawfully do so.

(10) Evidence of an offer to settle a claim during the neutral evaluation process, as well as any relevant conduct or statements made in negotiations concerning the offer to settle a claim, is inadmissible to prove liability or absence of liability for the claim or its value, except as provided in subsection (13).

(11) Any court proceeding related to the subject matter of the neutral evaluation shall be stayed pending completion of the neutral evaluation.

(12) For matters that are not resolved by the parties at the conclusion of the neutral evaluation, the neutral evaluator shall prepare a report stating that in his or her opinion the sinkhole loss has been verified or eliminated and, if verified, the need for and estimated costs of stabilizing the land and any covered structures or buildings and other appropriate remediation or structural repairs. The evaluator's report shall be sent to all parties in attendance at the neutral evaluation and to the department.

(13) The recommendation of the neutral evaluator is not binding on any party, and the parties retain access to court. The neutral evaluator's written recommendation is admissible in any subsequent action or proceeding relating to the claim or to the cause of action giving rise to the claim.

(14) If the neutral evaluator first verifies the existence of a sinkhole and, second, recommends the need for and estimates costs of stabilizing the land and any covered structures or buildings and other appropriate remediation or structural repairs, which costs exceed the amount that the insurer has offered to pay the policyholder, the insurer is liable to the policyholder for up to $2,500 in attorney's fees for the attorney's participation in the neutral evaluation process. For purposes of this subsection, the term "offer to pay" means a written offer signed by the insurer or its legal representative and delivered to the policyholder within 10 days after the insurer receives notice that a request for neutral evaluation has been made under this section.

(15) If the insurer timely agrees in writing to comply and timely complies with the recommendation of the neutral evaluator, but the policyholder declines to resolve the matter in accordance with the recommendation of the neutral evaluator pursuant to this section:

a. The insurer is not liable for extra-contractual damages related to a claim for a sinkhole loss but only as related to the issues determined by the neutral evaluation process. This section does not affect or impair claims for extra contractual damages unrelated to the issues determined by the neutral evaluation process contained in this section; and

b. The insurer is not liable for attorney's fees under s. 627.428 or other provisions of the insurance code unless the policyholder obtains a judgment that is more favorable than the recommendation of the neutral evaluator.

Section 30. Subsection (5) of section 627.727, Florida Statutes, is amended to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

(5) Any person having a claim against an insolvent insurer as defined in *s. 631.54(6)* ~~s. 631.54(5)~~ under the provisions of this section shall present such claim for payment to the Florida Insurance Guaranty Association only. In the event of a payment to any person in settlement of a claim arising under the provisions of this section, the association is not subrogated or entitled to any recovery against the claimant's insurer. The association, however, has the rights of recovery as set forth in

chapter 631 in the proceeds recoverable from the assets of the insolvent insurer.

Section 31. Paragraph (f) is added to subsection (2) of section 631.181, Florida Statutes, to read:

631.181 Filing and proof of claim.—

(2)

(f) The signed statement required by this section shall not be required on claims for which adequate claims file documentation exists within the records of the insolvent insurer. Claims for payment of unearned premium shall not be required to use the signed statement required by this section if the receiver certifies to the guaranty fund that the records of the insolvent insurer are sufficient to determine the amount of unearned premium owed to each policyholder of the insurer and such information is remitted to the guaranty fund by the receiver in electronic or other mutually agreed-upon format.

Section 32. Subsection (3) of section 631.54, Florida Statutes, is amended, present subsections (5), (6), (7), and (8) of that section are renumbered as subsections (6), (7), (8), and (9), respectively, and a new subsection (5) is added to that section to read:

631.54 Definitions.—As used in this part:

(3) "Covered claim" means an unpaid claim, including one of unearned premiums, which arises out of, and is within the coverage, and not in excess of, the applicable limits of an insurance policy to which this part applies, issued by an insurer, if such insurer becomes an insolvent insurer and the claimant or insured is a resident of this state at the time of the insured event or the property from which the claim arises is permanently located in this state. *For entities other than individuals, the residence of a claimant, insured, or policyholder is the state in which the entity's principal place of business is located at the time of the insured event.* "Covered claim" shall not include:

(a) Any amount due any reinsurer, insurer, insurance pool, or underwriting association, sought directly or indirectly through a third party, as subrogation, contribution, indemnification, or otherwise; or

(b) Any claim that would otherwise be a covered claim under this part that has been rejected by any other state guaranty fund on the grounds that an insured's net worth is greater than that allowed under that state's guaranty law. Member insurers shall have no right of subrogation, contribution, indemnification, or otherwise, sought directly or indirectly through a third party, against the insured of any insolvent member.

(5) "Homeowner's insurance" means personal lines residential property insurance coverage that consists of the type of coverage provided under homeowner's, dwelling, and similar policies for repair or replacement of the insured structure and contents, which policies are written directly to the individual homeowner. Residential coverage for personal lines as set forth in this section includes policies that provide coverage for particular perils such as windstorm and hurricane coverage but excludes all coverage for mobile homes, renter's insurance, or tenant's coverage. The term "homeowner's insurance" excludes commercial residential policies covering condominium associations or homeowners' associations, which associations have a responsibility to provide insurance coverage on residential units within the association, and also excludes coverage for the common elements of a homeowners' association.

Section 33. Subsection (1) of section 631.55, Florida Statutes, is amended to read:

631.55 Creation of the association.—

(1) There is created a nonprofit corporation to be known as the "Florida Insurance Guaranty Association, Incorporated." All insurers defined as member insurers in *s. 631.54(7)* ~~s. 631.54(6)~~ shall be members of the association as a condition of their authority to transact insurance in this state, and, further, as a condition of such authority, an insurer shall agree to reimburse the association for all claim payments the association makes on said insurer's behalf if such insurer is subsequently rehabilitated. The association shall perform its functions under a plan of operation established and approved under s. 631.58 and shall exercise its powers through a board of directors established under s. 631.56. The corporation shall have all those powers granted or permitted nonprofit corporations, as provided in chapter 617.

Section 34. Paragraph (a) of subsection (1), paragraph (d) of subsection (2), and paragraph (a) of subsection (3) of section 631.57, Florida Statutes, are amended, and paragraph (e) is added to subsection (3) of that section, to read:

631.57 Powers and duties of the association.—

(1) The association shall:

(a)1. Be obligated to the extent of the covered claims existing:

a. Prior to adjudication of insolvency and arising within 30 days after the determination of insolvency;

b. Before the policy expiration date if less than 30 days after the determination; or

c. Before the insured replaces the policy or causes its cancellation, if she or he does so within 30 days of the determination.

2. The obligation under subparagraph 1. includes only the amount of each covered claim which is in excess of $100 and is less than $300,000, except that policies providing coverage for homeowner's insurance shall provide for an additional $200,000 for the portion of a covered claim which relates only to the damage to the structure and contents.

3.a.~~2.~~ *Notwithstanding subparagraph 2.,* the obligation under subparagraph 1. *for* ~~shall include only that amount of each covered claim which is in excess of $100 and is less than $300,000, except with respect to~~ policies covering condominium associations or homeowners' associations, which associations have a responsibility to provide insurance coverage on residential units within the association, ~~the obligation~~ shall include that amount of each covered property insurance claim which is less than $100,000 multiplied by the number of condominium units or other residential units; however, as to homeowners' associations, this *sub-subparagraph* ~~subparagraph~~ applies only to claims for damage or loss to residential units and structures attached to residential units.

b. Notwithstanding sub-subparagraph a., the association has no obligation to pay covered claims that are to be paid from the proceeds of bonds issued under s. 631.695. However, the association shall assign and pledge the first available moneys from all or part of the assessments to be made under paragraph (3)(a) to or on behalf of the issuer of such bonds for the benefit of the holders of such bonds. The association shall administer any such covered claims and present valid covered claims for payment in accordance with the provisions of the assistance program in connection with which such bonds have been issued.

4.~~3.~~ In no event shall the association be obligated to a policyholder or claimant in an amount in excess of the obligation of the insolvent insurer under the policy from which the claim arises.

(2) The association may:

(d) Negotiate and become a party to such contracts as are necessary to carry out the purpose of this part. *Additionally, the association may enter into such contracts with a municipality, a county, or a legal entity created pursuant to s. 163.01(7)(g) as are necessary in order for the municipality, county, or legal entity to issue bonds under s. 631.695. In connection with the issuance of any such bonds and the entering into of any such necessary contracts, the association may agree to such terms and conditions as the association deems necessary and proper.*

(3)(a) To the extent necessary to secure the funds for the respective accounts for the payment of covered claims, ~~and also~~ to pay the reasonable costs to administer the same, *and to the extent necessary to secure the funds for the account specified in s. 631.55(2)(c) or to retire indebtedness, including, without limitation, the principal, redemption premium, if any, and interest on, and related costs of issuance of, bonds issued under s. 631.695 and the funding of any reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued,* the office, upon certification of the board of directors, shall levy assessments in the proportion that each insurer's net direct written premiums in this state in the classes protected by the account bears to the total of said net direct written premiums received in this state by all such insurers for the preceding calendar year for the

kinds of insurance included within such account. Assessments shall be remitted to and administered by the board of directors in the manner specified by the approved plan. Each insurer so assessed shall have at least 30 days' written notice as to the date the assessment is due and payable. Every assessment shall be made as a uniform percentage applicable to the net direct written premiums of each insurer in the kinds of insurance included within the account in which the assessment is made. The assessments levied against any insurer shall not exceed in any one year more than 2 percent of that insurer's net direct written premiums in this state for the kinds of insurance included within such account during the calendar year next preceding the date of such assessments.

(e)1.a. In addition to assessments otherwise authorized in paragraph (a) and to the extent necessary to secure the funds for the account specified in s. 631.55(2)(c) or to retire indebtedness, including, without limitation, the principal, redemption premium, if any, and interest on, and related costs of issuance of, bonds issued under s. 631.695 and the funding of any reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, the office, upon certification of the board of directors, shall levy emergency assessments upon insurers holding a certificate of authority. The emergency assessments payable under this paragraph by any insurer shall not exceed in any single year more than 2 percent of that insurer's direct written premiums, net of refunds, in this state during the preceding calendar year for the kinds of insurance within the account specified in s. 631.55(2)(c).

b. Any emergency assessments authorized under this paragraph shall be levied by the office upon insurers referred to in sub-subparagraph a., upon certification as to the need for such assessments by the board of directors, in each year that bonds issued under s. 631.695 and secured by such emergency assessments are outstanding, in such amounts up to such 2-percent limit as required in order to provide for the full and timely payment of the principal of, redemption premium, if any, and interest on, and related costs of issuance of, such bonds. The emergency assessments provided for in this paragraph are assigned and pledged to the municipality, county, or legal entity issuing bonds under s. 631.695 for the benefit of the holders of such bonds, in order to enable such municipality, county, or legal entity to provide for the payment of the principal of, redemption premium, if any, and interest on such bonds, the cost of issuance of such bonds, and the funding of any reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, without the necessity of any further action by the association, the office, or any other party. To the extent bonds are issued under s. 631.695 and the association determines to secure such bonds by a pledge of revenues received from the emergency assessments, such bonds, upon such pledge of revenues, shall be secured by and payable from the proceeds of such emergency assessments, and the proceeds of emergency assessments levied under this paragraph shall be remitted directly to and administered by the trustee or custodian appointed for such bonds.

c. Emergency assessments under this paragraph may be payable in a single payment or, at the option of the association, may be payable in 12 monthly installments with the first installment being due and payable at the end of the month after an emergency assessment is levied and subsequent installments being due not later than the end of each succeeding month.

d. If emergency assessments are imposed, the report required by s. 631.695(7) shall include an analysis of the revenues generated from the emergency assessments imposed under this paragraph.

e. If emergency assessments are imposed, the references in sub-subparagraph (1)(a)3.b. and s. 631.695(2) and (7) to assessments levied under paragraph (a) shall include emergency assessments imposed under this paragraph.

2. In order to ensure that insurers paying emergency assessments levied under this paragraph continue to charge rates that are neither inadequate nor excessive, within 90 days after being notified of such assessments, each insurer that is to be assessed pursuant to this paragraph shall submit a rate filing for coverage included within the account specified in s. 631.55(2)(c) and for which rates are required to be filed under s. 627.062. If the filing reflects a rate change that, as a percentage, is equal to the difference between the rate of such assessment and the rate of the previous year's assessment under this paragraph, the filing shall consist of a certification so stating and shall be deemed approved when made. Any rate change of a different percentage shall be subject to the standards and procedures of s. 627.062.

3. An annual assessment under this paragraph shall continue while the bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund bonds issued pursuant to s. 631.695, unless adequate provision has been made for the payment of the bonds in the documents authorizing the issuance of such bonds.

4. Emergency assessments under this paragraph are not premium and are not subject to the premium tax, to any fees, or to any commissions. An insurer is liable for all emergency assessments that the insurer collects and shall treat the failure of an insured to pay an emergency assessment as a failure to pay the premium. An insurer is not liable for uncollectible emergency assessments.

Section 35. Section 631.695, Florida Statutes, is created to read:

631.695 Revenue bond issuance through counties or municipalities.—

(1) The Legislature finds:

(a) The potential for widespread and massive damage to persons and property caused by hurricanes making landfall in this state can generate insurance claims of such a number as to render numerous insurers operating within this state insolvent and therefore unable to satisfy covered claims.

(b) The inability of insureds within this state to receive payment of covered claims or to timely receive such payment creates financial and other hardships for such insureds and places undue burdens on the state, the affected units of local government, and the community at large.

(c) In addition, the failure of insurers to pay covered claims or to timely pay such claims due to the insolvency of such insurers can undermine the public's confidence in insurers operating within this state, thereby adversely affecting the stability of the insurance industry in this state.

(d) The state has previously taken action to address these problems by adopting the Florida Insurance Guaranty Association Act, which, among other things, provides a mechanism for the payment of covered claims under certain insurance policies to avoid excessive delay in payment and to avoid financial loss to claimants or policyholders because of the insolvency of an insurer.

(e) In the wake of the unprecedented destruction caused by various hurricanes that have made landfall in this state, the resultant covered claims, and the number of insurers rendered insolvent thereby, make it evident that alternative programs must be developed to allow the Florida Insurance Guaranty Association to more expeditiously and effectively provide for the payment of covered claims.

(f) It is therefore determined to be in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of the residents of this state and for the protection and preservation of the economic stability of insurers operating in this state, and it is declared to be an essential public purpose, to permit certain municipalities and counties to take such actions as will provide relief to claimants and policyholders having covered claims against insolvent insurers operating in this state by expediting the handling and payment of covered claims.

(g) To achieve the foregoing purposes, it is proper to authorize municipalities and counties of this state substantially affected by the landfall of a hurricane to issue bonds to assist the Florida Insurance Guaranty Association in expediting the handling and payment of covered claims of insolvent insurers.

(h) In order to avoid the needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, it is in the best interests of the residents of this state to authorize municipalities and counties severely affected by a hurricane to provide for the payment of covered claims beyond their territorial limits in the implementation of such programs.

(i) It is a paramount public purpose for municipalities and counties substantially affected by the landfall of a hurricane to be able to issue bonds for the purposes described in this section. Such issuance shall provide assistance to residents of those municipalities and counties as well as to other residents of this state.

(2) The governing body of any municipality or county, the residents of which have been substantially affected by a hurricane, may issue bonds to fund an assistance program in conjunction with, and with the consent of, the Florida Insurance Guaranty Association for the purpose of paying claimants' or policyholders' covered claims, as defined in s. 631.54, arising through the insolvency of an insurer, which insolvency is determined by the Florida Insurance Guaranty Association to have been a result of a hurricane, regardless of whether the claimants or policyholders are residents of such municipality or county or the property to which the claim relates is located within or outside the territorial jurisdiction of the municipality or county. The power of a municipality or county to issue bonds, as described in this section, is in addition to any powers granted by law and may not be abrogated or restricted by any provisions in such municipality's or county's charter. A municipality or county issuing bonds for this purpose shall enter into such contracts with the Florida Insurance Guaranty Association or any entity acting on behalf of the Florida Insurance Guaranty Association as are necessary to implement the assistance program. Any bonds issued by a municipality or county or a combination thereof under this subsection shall be payable from and secured by moneys received by or on behalf of the municipality or county from assessments levied under s. 631.57(3)(a) and assigned and pledged to or on behalf of the municipality or county for the benefit of the holders of the bonds in connection with the assistance program. The funds, credit, property, and taxing power of the state or any municipality or county shall not be pledged for the payment of such bonds.

(3) Bonds may be validated by the municipality or county pursuant to chapter 75. The proceeds of the bonds may be used to pay covered claims of insolvent insurers; to refinance or replace previously existing borrowings or financial arrangements; to pay interest on bonds; to fund reserves for the bonds; to pay expenses incident to the issuance or sale of any bond issued under this section, including costs of validating, printing, and delivering the bonds, costs of printing the official statement, costs of publishing notices of sale of the bonds, costs of obtaining credit enhancement or liquidity support, and related administrative expenses; or for such other purposes related to the financial obligations of the fund as the association may determine. The term of the bonds may not exceed 30 years.

(4) The state covenants with holders of bonds of the assistance program that the state will not take any action that will have a material adverse effect on the holders and will not repeal or abrogate the power of the board of directors of the association to direct the Office of Insurance Regulation to levy the assessments and to collect the proceeds of the revenues pledged to the payment of the bonds as long as any of the bonds remain outstanding, unless adequate provision has been made for the payment of the bonds in the documents authorizing the issuance of the bonds.

(5) The accomplishment of the authorized purposes of such municipality or county under this section is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. The municipality or county, in performing essential governmental functions in accomplishing its purposes, is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by the county or municipality for such purposes or upon any revenues at any time received by the county or municipality. The bonds, notes, and other obligations of the municipality or county and the transfer of and income from such bonds, notes, and other obligations, including any profits made on the sale of such bonds, notes, and other obligations, are exempt from taxation of any kind by the state or by any political subdivision or other agency or instrumentality of the state. The exemption granted in this subsection is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

(6) Two or more municipalities or counties, the residents of which have been substantially affected by a hurricane, may create a legal entity pursuant to s. 163.01(7)(g) to exercise the powers described in this section as well as those powers granted in s. 163.01(7)(g). References in this section to a municipality or county includes such legal entity.

(7) The association shall issue an annual report on the status of the use of bond proceeds as related to insolvencies caused by hurricanes. The report must contain the number and amount of claims paid. The association shall also include an analysis of the revenue generated from the assessment levied under s. 631.57(3)(a) to pay such bonds. The association shall submit a copy of the report to the President of the Senate, the Speaker of the House of Representatives, and the Chief Financial Officer within 90 days after the end of each calendar year in which bonds were outstanding.

Section 36. *No provision of s. 631.57 or s. 631.695, Florida Statutes, shall be repealed until such time as the principal, redemption premium, if any, and interest on all bonds issued under s. 631.695, Florida Statutes, payable and secured from assessments levied under s. 631.57(3)(a), Florida Statutes, have been paid in full or adequate provision for such payment has been made in accordance with the bond resolution or trust indenture pursuant to which the bonds were issued.*

Section 37. Subsection (2) of section 877.02, Florida Statutes, is amended to read:

877.02 Solicitation of legal services or retainers therefor; penalty.—

(2) It shall be unlawful for any person in the employ of or in any capacity attached to any hospital, sanitarium, police department, wrecker service or garage, prison or court, ~~or~~ for a person authorized to furnish bail bonds, investigators, photographers, insurance or public adjusters, *or for a general or other contractor as defined in s. 489.105 or other business providing sinkhole remediation services,* to communicate directly or indirectly with any attorney or person acting on said attorney's behalf for the purpose of aiding, assisting or abetting such attorney in the solicitation of legal business or the procurement through solicitation of a retainer, written or oral, or any agreement authorizing the attorney to perform or render legal services.

Section 38. *By January 1, 2007, the Office of Insurance Regulation shall submit a report to the President of the Senate, the Speaker of the House of Representatives, the minority party leaders of the Senate and the House of Representatives, and the chairs of the standing committees of the Senate and the House of Representatives having jurisdiction over matters relating to property and casualty insurance. In preparing the report, the office shall consult with the Department of Highway Safety and Motor Vehicles, the Department of Community Affairs, the Florida Building Commission, the Florida Home Builders Association, representatives of the mobile and manufactured home industry, representatives of the property and casualty insurance industry, and any other party the office determines is appropriate. The report shall include findings and recommendations on the insurability of attached or free standing structures to residential homes, mobile, or manufactured homes, such as carports or pool enclosures; the increase or decrease in insurance costs associated with insuring such structures; the feasibility of insuring such structures; the impact on homeowners of not having insurance coverage for such structures; the ability of mitigation measures relating to such structures to reduce risk and loss; and such other related information as the office determines is appropriate for the Legislature to consider.*

Section 39. *(1) The Office of Insurance Regulation, in consultation with the Department of Community Affairs, the Department of Financial Services, the Federal Alliance for Safe Homes, the Florida Insurance Council, the Florida Home Builders Association, the Florida Manufactured Housing Association, the Risk and Insurance Department of Florida State University, and the Institute for Business and Homes Safety, shall study and develop a program that will provide an objective rating system that will allow homeowners to evaluate the relative ability of Florida properties to withstand the wind load from a sustained severe tropical storm or hurricane.*

(2) The rating system will be designed in a manner that is easy to understand for the property owner, based on proven readily verifiable mitigation techniques and devices, and able to be implemented based on a visual inspection program. The Department of Financial Services shall implement a pilot program for use in the Florida Comprehensive Hurricane Damage Mitigation Program.

(3) The Department shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 31, 2007, detailing the nature and construction of the rating scale, its effectiveness based on implementation in a pilot program, and an operational plan for statewide implementation of the rating scale.

Section 40. *(1) By September 1, 2006, the Office of Insurance Regulation shall calculate a presumed factor to reflect the impact to rates of the changes made by the provisions of this act related to insurance claims for sinkhole losses and by sections 17, 18, 19, 20, and 21 of chapter 2005-111, Laws of Florida.*

(2) In determining the presumed factor, the office shall use generally accepted actuarial techniques and standards in determining the expected impact on losses, expenses, and investment income of the insurer.

(3) The office may contract with an appropriate vendor to determine the presumed factor.

(4) Each residential property insurer shall, at its next rate filing after October 1, 2006, reflect a rate change that takes into account the presumed factor determined under subsection (1).

(5) The sum of $250,000 in nonrecurring funds is appropriated from the Insurance Regulatory Trust Fund in the Department of Financial Services to the Office of Insurance Regulation for the 2006-2007 fiscal year for the purpose of implementing this section.

Section 41. *The sums of $115,322 in recurring funds and $10,486 in nonrecurring funds are appropriated from the Insurance Regulatory Trust Fund in the Department of Financial Services for the 2006-2007 fiscal year for the purpose of implementing the provisions this act related to the neutral evaluation process for insurance claims, and two full-time equivalent positions with $59,435 in associated salary rate are authorized.*

Section 42. *(1) For the 2006-2007 fiscal year, the sum of $250 million is appropriated on a nonrecurring basis from the General Revenue Fund to the Insurance Regulatory Trust Fund in the Department of Financial Services for purposes of the Florida Comprehensive Hurricane Damage Mitigation Program specified in s. 215.5586, Florida Statutes, as created by this act. The department shall establish a separate account within the trust fund for accounting purposes.*

(2) The sum of $250 million is appropriated from the Insurance Regulatory Trust Fund in the Department of Financial Services for the purposes set forth in subsection (1). The department may expend up to 1 percent of the funds appropriated to administer the program. Beginning October 15, 2007, and quarterly thereafter, the Chief Financial Officer shall provide a report to the Executive Office of the Governor and the chair and vice chair of the Legislative Budget Commission containing information regarding expenditures made for the purposes set forth in subsection (1).

(3) Notwithstanding the provisions of s. 216.301, Florida Statutes, to the contrary, the unexpended balance of appropriations authorized in subsections (1) and (2) shall not revert until June 30, 2009.

Section 43. *The sum of $250 million is appropriated from the General Revenue Fund on a nonrecurring basis to the State Board of Administration for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, Florida Statutes, as created by this act. Costs and fees incurred by the board in administering this program, including fees for investment services, shall be paid from funds appropriated by the Legislature for this program, but are limited to 1 percent of the amount appropriated. Notwithstanding the provisions of s. 216.301, Florida Statutes, to the contrary, the unexpended balance of this appropriation shall not revert until June 30, 2007.*

Section 44. *(1) For the 2006-2007 fiscal year, the sum of $715 million is appropriated to the Department of Financial Services from nonrecurring funds in the General Revenue Fund. Such funds shall be transferred to Citizens Property Insurance Corporation established pursuant to s. 627.351(6), Florida Statutes. The appropriation shall be allocated to each of the personal lines and commercial lines accounts so as to eliminate the deficit for the 2005 calendar year in each of those two accounts, and the remaining moneys shall be applied to reduce the portion of the deficit in the high-risk account that would have been paid from the proceeds of regular assessments except for the appropriation. The moneys allocated to each account from the appropriation shall be considered as proceeds of regular assessments for purposes of the financing documents of Citizens Property Insurance Corporation.*

(2) Citizens Property Insurance Corporation shall include in the notice of assessment to each assessable insurer the amount by which the assessment has been reduced due to the appropriation in paragraph (1).

(3) Each insurer that recoups an assessment from its policyholders as allowed by law for the regular assessment by Citizens Property Insurance Corporation for its 2005 deficit shall include on the premium notice or on a separate document included with the premium notice sent to policyholders, in 12-point type, the following statement with the appropriate dollar amount shown:

"The $ SURCHARGE IN YOUR PREMIUM FOR THE ASSESSMENT BY CITIZENS PROPERTY INSURANCE CORPORATION HAS BEEN REDUCED BY $ DUE TO AN APPROPRIATION BY THE FLORIDA LEGISLATURE."

(4) The corporation shall amortize over a 10-year period any emergency assessments resulting from the 2005 Plan Year deficit.

(5) A violation of this section by an insurer is a violation of the Insurance Code and the insurer is subject to the penalties provided in ss. 624.418 and 624.4211, Florida Statutes.

(6) For the purposes of this section, the terms "assessable insurer," "corporation," "deficit," and "regular assessment," have the same meaning as provided in s. 627.351(6), Florida Statutes.

Section 45. Effective January 1, 2007, subsection (9) is added to section 627.701, Florida Statutes, to read:

627.701 Liability of insureds; coinsurance; deductibles.—

(9) With respect to hurricane coverage provided in a policy of residential coverage, when the policyholder has taken appropriate hurricane mitigation measures regarding the residence covered under the policy, the insurer may provide the insured the option of selecting an appropriate reduction in the policy's hurricane deductible in lieu of selecting the appropriate discount credit or other rate differential as provided in s. 627.0629. If made available by the insurer, the insurer must provide the policyholder with notice of the options available under this subsection on a form approved by the office.

Section 46. *Effective July 1, 2006, subsection (3) of s. 215.559, Florida Statutes, is repealed.*

Section 47. Subsection (1) and paragraph (b) of subsection (2) of section 627.4133, Florida Statutes, are amended to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(1) Except as provided in subsection (2):

(a) An insurer issuing a policy providing coverage for workers' compensation and employer's liability insurance, property, casualty, except mortgage guaranty, surety, or marine insurance, other than motor vehicle insurance subject to s. 627.728, shall give the named insured at least 45 days' advance written notice of nonrenewal or of the renewal premium. If the policy is not to be renewed, the written notice shall state the reason or reasons as to why the policy is not to be renewed. This requirement applies only if the insured has furnished all of the necessary information so as to enable the insurer to develop the renewal premium prior to the expiration date of the policy to be renewed.

(b) An insurer issuing a policy providing coverage for property, casualty, except mortgage guaranty, surety, or marine insurance, other than motor vehicle insurance subject to s. 627.728 or s. 627.7281, shall give the named insured written notice of cancellation or termination other than nonrenewal at least 45 days prior to the effective date of the cancellation or termination, including in the written notice the reason or reasons for the cancellation or termination, except that:

1. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. *As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the*

applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full; and

2. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

After the policy has been in effect for 90 days, no such policy shall be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. ~~The provisions of~~ This subsection *does* ~~shall~~ not apply to individually rated risks having a policy term of less than 90 days.

(c) If an insurer fails to provide the 45-day or 20-day written notice required under this section, the coverage provided to the named insured shall remain in effect until 45 days after the notice is given or until the effective date of replacement coverage obtained by the named insured, whichever occurs first. The premium for the coverage shall remain the same during any such extension period except that, in the event of failure to provide notice of nonrenewal, if the rate filing then in effect would have resulted in a premium reduction, the premium during such extension of coverage shall be calculated based upon the later rate filing.

(2) With respect to any personal lines or commercial residential property insurance policy, including, but not limited to, any homeowner's, mobile home owner's, farmowner's, condominium association, condominium unit owner's, apartment building, or other policy covering a residential structure or its contents:

(b) The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 90 days prior to the effective date of the nonrenewal, cancellation, or termination. The notice must include the reason or reasons for the nonrenewal, cancellation, or termination, except that:

1. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. *As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full.*

2. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

After the policy has been in effect for 90 days, the policy shall not be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. This paragraph does not apply to individually rated risks having a policy term of less than 90 days.

Section 48. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; redefining the term "losses" for purposes of the Florida Hurricane Catastrophe Fund; allowing limited apportionment companies to purchase additional coverage amounts from the fund; revising certain reimbursement contract criteria; revising certain reimbursement premium requirements; specifying procedures for Citizens Property Insurance Corporation to obtain coverage for certain policies from the fund; deleting a requirement that bonds be validated; revising certain revenue bond emergency assessment requirements; specifying premiums that are subject to assessment; revising the date on which the exemption of medical malpractice premiums from emergency assessments is repealed; creating s. 215.5586, F.S.; establishing the Florida Comprehensive Hurricane Damage Mitigation Program within the Department of Financial Services; providing qualifications for the program administrator; providing program components and requirements; providing for wind certification and hurricane mitigation inspections; providing inspection requirements; providing inspector eligibility requirements; providing for grants; providing grant requirements; for loans; providing public education and consumer awareness requirements; amending s. 215.559, F.S.; creating the Manufactured Housing and Mobile Home Mitigation and Enhancement Program for specified purposes; requiring Tallahassee Community College to develop the program in consultation with certain entities; specifying requirements of the program as to certain concerns of the Department of Highway Safety and Motor Vehicles relating to manufactured homes and mobile homes; specifying that the program is a grant program for the improvement of mobile home and manufactured home parks; providing for the distribution of the grants to Tallahassee Community College for specified purposes; requiring the Citizens Property Insurance Corporation to grant certain insurance discounts, credits, rate differentials, or reductions in deductibles for property insurance premiums for owners of manufactured homes or mobile homes; specifying criteria for such premiums; specifying funding for tie-down enhancement systems; requiring Tallahassee Community College to provide an annual report on the program to the Governor and the Legislature; providing requirements relating to the report; providing an appropriation; creating s. 215.5595, F.S.; providing legislative findings concerning the appropriation of state funds to be used as surplus notes for residential property insurers; providing conditions and requirements for the issuance of surplus notes to new or existing residential property insurers under the Insurance Capital Build-Up Incentive Program; providing for the program to be administered by the State Board of Administration; limiting the amount of a surplus note; requiring that an insurer maintain a specified ratio of net written premium to surplus for the term of the note; providing for the term of a surplus note and the rate of interest; providing that the state is a creditor for unpaid principal and interest on a surplus note; requiring the board to adopt emergency rules; providing requirements for the investment of appropriated funds; creating s. 252.63, F.S.; providing purpose and intent; providing powers of the Commissioner of Insurance Regulation during a state of emergency; authorizing the commissioner to issue certain orders in a state of emergency; providing for effect and duration of such orders; providing for legislative termination of such orders; requiring the commissioner to publish such orders and an explanatory statement; creating s. 626.8795, F.S.; prohibiting a public adjuster from engaging in certain activities that constitute a conflict of interest; providing an appropriation; amending s. 627.0613, F.S.; revising powers of the consumer advocate of the Chief Financial Officer with respect to appearance in certain proceedings; amending s. 626.918, F.S.; authorizing certain letters of credit to fund a surplus lines insurer's required policyholder protection trust fund; defining the term "qualified United States financial institution"; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to approve a rating factor relative to an insurer's rate of return; specifying certain rate filings as not subject to office determination as excessive or unfairly discriminatory; providing limitations; providing a definition; prohibiting certain rate filings under certain circumstances; preserving the office's authority to disapprove certain rate filings under certain circumstances; providing procedures for insurers submitting certain rate filings; revising provisions providing for recoupment of certain reinsurance costs; specifying nonapplication to certain types of insurance; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.0628, F.S.; authorizing certain determinations to be

made in a rate hearing regarding the assumptions and factors found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.06281, F.S.; requiring the public hurricane loss-projection model to be submitted for review by the Florida Commission on Hurricane Loss Projection Methodology; allowing the Office of Insurance Regulation to use the public model until the commission determines that the public model is not accurate or reliable; amending s. 627.0629, F.S.; requiring that the office reevaluate the rate differentials for construction techniques that meet the requirements of the Florida Building Code; amending s. 627.351, F.S.; providing that certain responsibilities of the Office of Insurance Regulation with respect to the plan of operation of Citizens Property Insurance Corporation be assumed by the Financial Services Commission; defining the terms "homestead property" and "nonhomestead property" for use with respect to Citizens Property Insurance Corporation; limiting eligibility for personal lines coverage by the corporation; directing the corporation board to reduce or, with approval by necessary parties, restructure existing debt; requiring a report with respect thereto; providing for a reduction in aggregate amount of a regular assessment in certain circumstances; authorizing the board of governors of the corporation to levy an assessment if certain deficits occur; providing accounting requirements; authorizing the corporation to adopt policy forms that contain more restrictive coverage; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; revising the liability of limited apportionment companies for regular assessments; providing for optional payment plans; requiring insurers to provide claims-adjusting services for certain wind coverage in certain circumstances; requiring the corporation to limit coverage on certain mobile homes; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees of the corporation to sign annually a statement that they have no conflict of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers' representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a take-out bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring employees of the corporation to report suspected fraud; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing requirements for the office with respect to rate filings; specifying circumstances under which a rate is deemed inadequate for certain policies; requiring the rate for certain policies to be based on certain loss events; providing a rate surcharge for certain nonhomestead property and property valued at more than a certain amount; providing that rates for the corporation are not subject to the requirements for being noncompetitive if the Office of Insurance Regulation makes a certain determination; deleting provisions relating to appointment of a rate methodology panel; providing for use of the public hurricane loss-projection model in ratemaking; prescribing requirements for paying takeout bonuses or payments to insurers; requiring records of takeout bonuses or other payments for certain purposes; clarifying that debt obligations of the corporation are not subject to taxation; prohibiting the corporation and other persons from making certain filings under, or becoming a debtor under, the federal Bankruptcy Code; authorizing the corporation to assume the policies of an insurer placed in liquidation under conditions approved by the office; postponing the dates by which the boundaries of high-risk areas must be reduced; requiring a study of the viability of authorized insurers issuing and servicing, for a fee, certain high-risk insurance policies; requiring a report to legislative leaders; providing that insurance agents are not liable for certain action; requiring that the corporation make certain information concerning policies ineligible for renewal available to licensed general lines agents unless the policyholder has requested that the corporation withhold such information; providing registration requirements in order for an agent to obtain such information; authorizing a registered agent to contact and assist a policyholder in securing a replacement policy; providing applicability of specified provisions relating to assessments and surcharges; amending s. 627.3511, F.S.; extending the period for which an insurer that assumes Citizens Property Insurance Corporation's obligations under a policy must renew the replacement policy; revising circumstances under which replacement is not required; amending s. 627.3512, F.S.; authorizing a limited apportionment company to recoup assessments levied by Citizens Property Insurance Corporation; amending s. 627.3517, F.S.; providing that an insurance risk apportionment plan policyholder's right to retain his or her current agent does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation; creating s. 627.3519, F.S.; requiring the Financial Services Commission to report annually to the Legislature on probable maximum losses, financing options, and assessment potentials of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; creating s. 627.6121, F.S.; prescribing circumstances under which an insurer must pay benefits to a primary policyholder of dual interest property; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; providing that the section does not prohibit an insurer from limiting its liability concerning certain replacement costs; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; amending s. 627.706, F.S.; allowing for a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; deleting a standard for testing; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; providing that the recording of the report and certification does not constitute certain restrictions or create certain causes of action or liabilities; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; amending s. 627.727, F.S.; conforming a cross-reference; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims related to the insolvency of an insurer; providing requirements; amending s. 631.54, F.S.; redefining the term "covered claim" and defining the term "homeowner's insurance" for purposes of the Florida Insurance Guaranty Association; amending s. 631.55, F.S.; conforming a cross-reference; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Office of Insurance Regulation to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specify-

ing a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; requiring the Office of Insurance Regulation to submit reports to the Legislature relating to the insurability of certain attached or free-standing structures and relating to an objective rating system for homes; requiring the Office of Insurance Regulation to calculate a presumed factor that reflects certain provisions of the act related to sinkhole claims and by ss. 17, 18, 19, 20, and 21 of ch. 2005-111, Laws of Florida; providing procedures; requiring residential property insurers to use the presumed factor in calculating rates after a specified date; providing appropriations; requiring that an appropriation be transferred to Citizens Property Insurance Corporation to reduce the amount of the regular assessment for a specified deficit; requiring the corporation to notify assessable insurers of the amount by which assessments have been reduced; requiring insurers who recoup assessments to notify policyholders of the amount by which the surcharge has been reduced; providing penalties for a violation; defining terms; requiring that emergency assessments be amortized over a specified period; repealing s. 215.559(3), F.S.; deleting the requirement that the Department of Community Affairs develop a low-interest loan program for retrofitting homes; amending s. 627.701, F.S.; allowing insurers to offer the insured certain deductible options; amending s. 627.4133, F.S.; defining the term "nonpayment of premium" for purposes of insurance contracts; providing effective dates.

MOTION

On motion by Senator Alexander, the rules were waived to allow the following amendment to be considered:

Senator Webster offered the following amendment to **Amendment 2** which was moved by Senator Alexander and adopted:

Amendment 2A (424504)(with title amendment)—On page 52, delete line 4 and insert:

i. If a deficit is incurred in any account, the board of governors shall levy an immediate assessment against the premium of each nonhomestead property policyholder in all accounts of the corporation, as a uniform percentage of the premium of the policy of up to 10 percent of such premium, which funds shall be used to offset the deficit. If this assessment is insufficient to eliminate the deficit, the board of governors shall levy an additional assessment against all policyholders of the corporation, which shall be collected at the time of issuance or renewal of a policy, as a uniform percentage of the premium for the policy of up to 10 percent of such premium, which funds shall be used to further offset the deficit.

j. The board of governors shall maintain separate

And the title is amended as follows:

On page 146, line 22, after the semicolon (;) insert: requiring the board to levy an assessment against nonhomestead policyholders; authorizing additional assessments against all policyholders of the corporation under certain circumstances;

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment to **Amendment 2** which was adopted:

Amendment 2B (072764)—On page 48, line 20, after "*subparagraph (c)11.*" insert: *and the amount collected or estimated to be collected from the assessment on Citizens policyholders pursuant to sub-subparagraph i.*

Amendment 2 as amended was adopted.

On motion by Senator Garcia, by two-thirds vote **CS for CS for SB 1980** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—22

Mr. President	Diaz de la Portilla	Pruitt
Alexander	Dockery	Saunders
Atwater	Garcia	Sebesta
Baker	Haridopolos	Villalobos
Bennett	Jones	Webster
Carlton	King	Wise
Clary	Peaden	
Constantine	Posey	

Nays—16

Argenziano	Hill	Rich
Aronberg	Klein	Siplin
Campbell	Lawson	Smith
Crist	Lynn	Wilson
Fasano	Margolis	
Geller	Miller	

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING, continued

HB 371—A bill to be entitled An act relating to the Cancer Drug Donation Program; creating s. 499.029, F.S.; providing a short title; creating the Cancer Drug Donation Program; providing a purpose; providing definitions; providing conditions for the donation of cancer drugs and supplies to the program; providing conditions for the acceptance of cancer drugs and supplies into the program, inspection of cancer drugs and supplies, and dispensing of cancer drugs and supplies to eligible patients; requiring a participant facility that accepts donated drugs and supplies through the program to comply with certain state and federal laws; authorizing a participant facility to charge fees under certain conditions; requiring the Department of Health, upon recommendation of the Board of Pharmacy, to adopt certain rules; providing for the ineligibility of certain persons to receive donated drugs; requiring the department to establish and maintain a participant facility registry; providing for the contents and availability of the participant facility registry; providing immunity from civil and criminal liability for donors or pharmaceutical manufacturers in certain circumstances; providing that in the event of conflict between the provisions in s. 499.029, F.S., and provisions in ch. 465 or ch. 499, F.S., the provisions in s. 499.029, F.S., shall control; providing an appropriation; providing an effective date.

—was read the third time by title.

Senator Peaden moved the following amendment:

Amendment 1 (422560)(with title amendment)—Between lines 205 and 206, insert:

Section 3. Subsection (31) of section 499.003, Florida Statutes, is amended to read:

499.003 Definitions of terms used in ss. 499.001-499.081.—As used in ss. 499.001-499.081, the term:

(31) "Pedigree paper" means:

(a) A document required pursuant to s. 499.0121(6)(d) or (e); or

(b)*1.* Effective July 1, 2006, a document or electronic form approved by the Department of Health and containing information that records each distribution of any given legend drug, from sale by a pharmaceutical manufacturer, through acquisition and sale by any wholesaler or repackager, until final sale to a pharmacy or other person administering or dispensing the drug. The information required to be included on *the form approved by the department pursuant to this subparagraph* ~~a legend drug's pedigree paper~~ must at least detail the amount of the legend drug; its dosage form and strength; its lot numbers; the name and address of each owner of the legend drug and his or her signature; its

shipping information, including the name and address of each person certifying delivery or receipt of the legend drug; an invoice number, a shipping document number, or another number uniquely identifying the transaction; and a certification that the recipient wholesaler has authenticated the pedigree papers. If the manufacturer or repackager has uniquely serialized the individual legend drug unit, that identifier must also be included on the *form approved pursuant to this subparagraph* ~~pedigree~~. It must also include the name, address, telephone number and, if available, e-mail contact information of each wholesaler involved in the chain of the legend drug's custody*; or*

2. A statement, under oath, in written or electronic form, confirming that a wholesale distributor purchases and receives the specific unit of the prescription drug directly from the manufacturer of the prescription drug and distributes the prescription drug directly to a chain pharmacy warehouse or a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003. For purposes of this paragraph, the term "chain pharmacy warehouse" means a wholesale distributor permitted pursuant to s. 499.01 that maintains a physical location for prescription drugs that functions solely as a central warehouse to perform intracompany transfers of such drugs to a member of its affiliated group as described in s. 499.0121(6)(h)1.

a. The following information must be included on the form approved by the department pursuant to this subparagraph:

(I) The following statement: "This wholesale distributor purchased the specific unit of the prescription drug directly from the manufacturer."

(II) The manufacturers' national drug code identifier and the name and address of the wholesaler and the purchaser of the prescription drug.

(III) The name of the prescription drug as it appears on the label.

(IV) The quantity, dosage form, and strength of the prescription drug.

b. The wholesale distributor must also maintain and make available to the department, upon request, the point of origin of the prescription drugs, including intracompany transfers; the date of the shipment from the manufacturer to the wholesale distributor; the lot numbers of such drugs; and the invoice numbers from the manufacturer.

The department *may* ~~shall~~ adopt rules and *forms* ~~a form~~ relating to the requirements of this *subsection* ~~paragraph no later than 90 days after the effective date of this act~~.

Section 4. Subsection (29) of section 499.005, Florida Statutes, is amended to read:

499.005 Prohibited acts.—It is unlawful for a person to perform or cause the performance of any of the following acts in this state:

(29) The receipt of a prescription drug pursuant to a wholesale distribution without *either* first receiving a pedigree paper that was attested to as accurate and complete by the wholesale distributor *or complying with the provisions of s. 499.0121(6)(f)6.*

Section 5. Paragraph (f) of subsection (6) of section 499.0121, Florida Statutes, is amended to read:

499.0121 Storage and handling of prescription drugs; recordkeeping.—The department shall adopt rules to implement this section as necessary to protect the public health, safety, and welfare. Such rules shall include, but not be limited to, requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records.

(6) RECORDKEEPING.—The department shall adopt rules that require keeping such records of prescription drugs as are necessary for the protection of the public health.

(f)1. Effective July 1, 2006, each person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug must, before each wholesale distribution of such drug, provide to the person who receives the drug a pedigree paper as defined in s. 499.003(31).

2. A repackager must comply with this paragraph.

3. The pedigree paper requirements in this paragraph do not apply to compressed medical gases or veterinary legend drugs.

4. Each wholesale distributor of prescription drugs must maintain separate and distinct from other required records all statements that are required under subparagraph 1.

5. In order to verify compliance with subparagraph (d)1., each manufacturer of a prescription drug sold in this state must make available upon request distribution documentation related to its sales of prescription drugs, regardless of whether the prescription drug was sold directly by the manufacturer to a person in Florida.

6. Subparagraph 1. is satisfied when a wholesale distributor takes title to, but not possession of, a prescription drug and the prescription drug's manufacturer ships the prescription drug directly to a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003, or a member of an affiliated group, as described in paragraph (h), with the exception of a repackager.

a. The wholesale distributor must deliver to the recipient of the prescription drug, within 14 days after the shipment notification from the manufacturer, an invoice and the following sworn statement: "This wholesale distributor purchased the specific unit of the prescription drug listed on the invoice directly from the manufacturer, and the specific unit of prescription drug was shipped by the manufacturer directly to a person authorized by law to administer or dispense the legend drug, as defined in s. 465.003, Florida Statutes, or a member of an affiliated group, as described in s. 499.0121(6)(h), Florida Statutes, with the exception of a repackager." The invoice must contain a unique cross-reference to the shipping document sent by the manufacturer to the recipient of the prescription drug.

b. The manufacturer of the prescription drug shipped directly to the recipient under this section must provide and the recipient of the prescription drug must acquire, within 14 days after receipt of the prescription drug, a shipping document from the manufacturer that contains, at a minimum:

(I) The name and address of the manufacturer, including the point of origin of the shipment, and the names and addresses of the wholesaler and the purchaser.

(II) The name of the prescription drug as it appears on the label.

(III) The quantity, dosage form, and strength of the prescription drug.

(IV) The date of the shipment from the manufacturer.

c. The wholesale distributor must also maintain and make available to the department, upon request, the lot number of such drug if not contained in the shipping document acquired by the recipient.

7. Failure of the manufacturer to provide, the recipient to acquire, or the wholesale distributor to deliver, the documentation required under subparagraph 6. shall constitute failure to acquire or deliver a pedigree paper under s. 499.0051. Forgery by the manufacturer, the recipient or the wholesale distributor of the documentation required to be acquired or delivered under subparagraph 6. shall constitute forgery of a pedigree paper under s. 499.0051.

8. The department may, by rule, specify alternatives to compliance with subparagraph 1. for a prescription drug in the inventory of a permitted prescription drug wholesaler as of June 30, 2006, and the return of a prescription drug purchased prior to July 1, 2006. The department may specify time limits for such alternatives.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 26, after the semicolon (;) insert: amending s. 499.003, F.S.; revising the definition of the term "pedigree paper"; authorizing the Department of Health to adopt rules and forms relating to pedigree paper requirements; amending s. 499.005, F.S.; revising a prohibited acts provision relating to pedigree papers; amending s. 499.0121, F.S.; requiring certain wholesale distributors taking title to a prescription drug to provide an invoice to the recipient containing certain information; requiring a recipient of a prescription drug to acquire from the

manufacturer a shipping document containing specified information; requiring wholesale distributor to make certain information available to the department; providing for penalties; authorizing the department to adopt certain rules relating to the inventory and return of certain prescription drugs;

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1A (624558)—On page 2, line 31 through page 3, line 1, delete those lines and insert: *a. The information required to be included pursuant to this subparagraph must include:*

MOTION

On motion by Senator Crist, the rules were waived to allow the following amendment to be considered:

Senator Crist moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1B (474900)—On page 2, line 21, delete that line and insert: *the prescription drug directly, or through an intracompany transfer, to a chain pharmacy warehouse*

Amendment 1 as amended was adopted by two-thirds vote.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (910192)—In title, line 2, delete that line and insert: An act relating to prescription drugs;

On motion by Senator Clary, **HB 371** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1, further amended CS for CS for SB 142, and passed the same as further amended and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for CS for SB 142—A bill to be entitled An act relating to communications; amending s. 364.051, F.S., relating to price regulation; allowing a telecommunications company to publicly publish price lists for nonbasic services; providing guidelines for such publication; allowing 1 day's notice for price changes to nonbasic services; deleting a company's option to elect that its basic services be treated as nonbasic services; requiring a company to request that the Public Service Commission lessen its service quality regulation; providing criteria for granting a petition to change regulatory treatment of retail services; amending s. 364.025, F.S.; providing definitions; providing that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property under certain circumstances; requiring the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; providing for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; providing for carrier of last resort obligation to apply when specified conditions cease to exist; providing for effect of the act on the commission's jurisdiction; amending s. 350.0611, F.S.; providing additional authority to the Public Counsel, including the authority to provide legal representation to, and to appear on behalf of, the state and its political subdivisions as consumers of communications services and utility services, to receive, investigate, and take legal action upon complaints involving communications services not within the jurisdiction of the Public Service Commission, to appear before state and federal agencies to enhance terms and conditions of utility and communications services, and to analyze and report on pending legislation relevant to utility and communications services; providing appropriations; providing an effective date.

House Amendment 2 (926049)(with title amendment)—

On page 9, line 16 through page 12, line 11, remove all of said lines

And the title is amended as follows:

On page 2, line(s) 2-17, remove all of said lines and insert: providing an appropriation; providing an effective date.

On motion by Senator Fasano, the Senate concurred in the House amendment.

CS for CS for SB 142 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

By direction of the President, the rules were waived and the Senate proceeded to—

BILLS ON THIRD READING, continued

HB 615—A bill to be entitled An act relating to professional sports franchises; amending s. 288.1162, F.S.; providing additional requirements with respect to certification as a facility for a new professional sports franchise or a facility for a retained professional sports franchise; providing for repeal of the requirements by a specified date; providing an effective date.

—as amended May 3 was read the third time by title.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senators Garcia, Villalobos and Diaz de la Portilla offered the following amendment which was moved by Senator Garcia:

Amendment 2 (172868)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (7) of section 288.1162, Florida Statutes, is amended to read:

288.1162 Professional sports franchises; spring training franchises; duties.—

(7)*(a)* The Office of Tourism, Trade, and Economic Development shall notify the Department of Revenue of any facility certified as a facility for a new professional sports franchise or a facility for a retained professional sports franchise or as a facility for a retained spring training franchise. The Office of Tourism, Trade, and Economic Development shall certify no more than eight facilities as facilities for a new professional sports franchise or as facilities for a retained professional sports franchise and shall certify at least five as facilities for retained spring training franchises, including in such total any facilities certified by the Department of Commerce before July 1, 1996. The office may make no more than one certification for any facility. The office may not certify funding for less than the requested amount to any applicant certified as a facility for a retained spring training franchise.

(b) The eighth certification of an applicant under this section as a facility for a new professional sports franchise or a facility for a retained professional sports franchise shall be for a franchise that is a member of the National Basketball Association, has been located within the state since 1987, and has not been previously certified. This paragraph is repealed July 1, 2010.

Section 2. Section 288.11635, Florida Statutes, is created to read:

288.11635 Professional sports franchise; additional funding.—

(1) The Office of Tourism, Trade, and Economic Development shall serve as the state agency for screening applicants for state funding under s. 212.20(6)(d)7.c. and for certifying an applicant as a "facility for a professional sports franchise" which is eligible for funding under s. 212.20(6)(d)7.c.

(2) As used in this section, the term:

(a) "Force majeure event" means a flood, fire or other casualty, war, revolution, civil commotion, act of a public enemy, embargo, act of a government in its sovereign capacity, or labor difficulty, including without limitation, a strike, lockout, or any circumstance beyond the reasonable control of a professional sports franchise affected.

(b) "League" has the same meaning as in s. 288.1162.

(c) "Professional sports franchise" means a franchise in the National League or the American League of Major League Baseball, the National Basketball Association, the National Football League, or the National Hockey League.

(d) "Unit of local government" has the same meaning as in s. 218.369.

(3) The Office of Tourism, Trade, and Economic Development shall adopt rules for the receipt and processing of applications for funding under s. 212.20(6)(d)7.c.

(4) Before certifying an applicant as a "facility for a professional sports franchise" which is eligible for funding under s. 212.20(6)(d)7.c., the Office of Tourism, Trade, and Economic Development must find that:

(a) A unit of local government is responsible for the construction, maintenance, or operation of the professional sports franchise facility or holds title to or a leasehold interest in the property on which the professional sports franchise facility is located.

(b) The applicant has a verified copy of the approval from the governing authority of the league in which the professional sports franchise exists or verified evidence that it had a league-authorized location in this state on or before July 1, 2006.

(c) The applicant has projections, verified by the Office of Tourism, Trade, and Economic Development, which demonstrate that the professional sports franchise will attract a paid attendance of more than 300,000 annually.

(d) The applicant has an independent analysis or study, verified by the Office of Tourism, Trade, and Economic Development, which demonstrates that the amount of the revenues generated by the state sales tax imposed under chapter 212 with respect to the use and operation of the professional sports franchise facility will equal or exceed $4 million annually, except that if the professional sports franchise that served as an applicant's basis for certification under this section did not serve as an applicant's basis for certification under s. 288.1162, then tax revenues that equal or exceed $2 million annually must be demonstrated.

(e) The municipality in which the facility for a professional sports franchise is located, or the county if the facility for a professional sports franchise is located in an unincorporated area, has certified by resolution after a public hearing that the application serves a public purpose.

(f) The Office of Tourism, Trade, and Economic Development has received a signed agreement for the benefit of, and enforceable by, the Department of Revenue from the applicant and the owners of the professional sports franchise which formed the basis for the applicant's certification under this section, jointly, which agreement guarantees that each year the applicant and the professional sports franchise owners will reimburse the Department of Revenue the amount by which state sales tax collections imposed with respect to the use and operation of the certified facility during such year are less than the amounts distributed under s. 212.20(6)(d)7.c. to the applicant under this section during such year, and, if the same professional sports franchise also formed the basis for an applicant's certification under s. 288.1162, the amount distributed under s. 212.20(6)(d)7.b., to the applicant under s. 288.1162, during such year, unless such state sales tax collections exceed the amounts distributed. The Department of Revenue shall annually provide to the Office of Tourism, Trade, and Economic Development total state sales tax collections in the prior calendar year for each facility receiving distributions pursuant to s. 212.20(6)(d)7.c. and must provide this information no later than March 15 of each year. Required reimbursements to the Department of Revenue must be made no later than June 30 of each year. The reimbursement described by this paragraph is not required if the facility's failure to generate sufficient state sales tax collections imposed under chapter 212 is a result of a force majeure event.

(g) The Office of Tourism, Trade, and Economic Development has received a signed agreement for the benefit of, and enforceable by, the Department of Revenue from the applicant and the owners of the professional sports franchise which formed the basis for the applicant's certification under this section, jointly, which agreement guarantees that if a professional sports franchise certified by the Office of Tourism, Trade, and Economic Development pursuant to this section receiving funding pursuant to s. 212.20(6)(d)7.c., leaves the state before all scheduled distributions are made, within 6 months after the professional sports franchise leaves the state, the applicant and the owners of the professional sports franchise must pay to the state an amount equal to all the remaining monthly sales tax distributions scheduled to be made pursuant to s. 212.20(6)(d)7.c. This subsection does not in any way invalidate the agreement pursuant to paragraph (4)(f).

(h) A professional sports franchise may form the basis for only one facility certified under this section for funding under s. 212.20(6)(d)7.c.

(5) An applicant certified as a facility for a professional sports franchise which is certified for funding under s. 212.20(6)(d)7.c. may use funds provided pursuant to that sub-subparagraph only:

(a) For the public purpose of paying for the acquisition, construction, reconstruction, renovation, capital improvement, or maintenance of the facility for a professional sports franchise or ancillary facilities, such as parking structures; convention facilities and meeting rooms; retail and concession space; health, fitness, and training facilities; and youth and amateur sports facilities, which support the operations of any such facility;

(b) To pay or pledge for the payment of debt service on, or fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect to bonds or other indebtedness issued for the acquisition, construction, reconstruction, renovation, or capital improvement of the facility for a professional sports franchise or ancillary facilities; or

(c) For reimbursement of costs or the refinancing of bonds or other indebtedness, including the payment of any interest and prepayment premium or penalty thereon, issued for the acquisition, construction, reconstruction, renovation, or capital improvement of the facility for a professional sports franchise or ancillary facilities.

(6) The Office of Tourism, Trade, and Economic Development shall notify the Department of Revenue of any facility certified as a facility for a professional sports franchise which is eligible for funding under s. 212.20(6)(d)7.c. However, the office may not certify a facility until the Legislature has approved the applicant in a separate bill adopted only for that purpose. Whenever the office determines that an applicant, having met all necessary conditions pursuant to this section, is eligible to be approved by the Legislature, it shall convey that determination to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(7) The Department of Revenue may conduct audits as provided in s. 213.34 to verify that the distributions made under this section have been expended as required in this section. Such information is subject to the confidentiality requirements of chapter 213. If the Department of Revenue determines that the distributions made under this section have not been expended as required by this section, it may pursue recovery of the funds under the laws and rules governing the assessment of taxes.

Section 3. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of $500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. Two-tenths of one percent shall be transferred to the Ecosystem Management and Restoration Trust Fund to be used for water quality improvement and water restoration projects.

3. After the distribution under subparagraphs 1. and 2., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred pursuant to this subparagraph to the Local Government Half-cent Sales Tax Clearing Trust Fund shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less $5,000 each month, which shall be added to the amount calculated in subparagraph 4. and distributed accordingly.

4. After the distribution under subparagraphs 1., 2., and 3., 0.095 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

5. After the distributions under subparagraphs 1., 2., 3., and 4., 2.0440 percent of the available proceeds pursuant to this paragraph shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

6. After the distributions under subparagraphs 1., 2., 3., and 4., 1.3409 percent of the available proceeds pursuant to this paragraph shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

7. Of the remaining proceeds:

a. In each fiscal year, the sum of $29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties shall begin each fiscal year on or before January 5th and shall continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment shall continue until such time that the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards prior to July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 prior to July 1, 2000.

b. The department shall distribute $166,667 monthly pursuant to s. 288.1162 to each applicant that has been certified as a "facility for a new professional sports franchise" or a "facility for a retained professional sports franchise" pursuant to s. 288.1162. Up to $41,667 shall be distributed monthly by the department to each applicant that has been certified as a "facility for a retained spring training franchise" pursuant to s. 288.1162; however, not more than $208,335 may be distributed monthly in the aggregate to all certified facilities for a retained spring training franchise. Distributions shall begin 60 days following such certification and shall continue for not more than 30 years. Nothing contained in this paragraph shall be construed to allow an applicant certified pursuant to s. 288.1162 to receive more in distributions than actually expended by the applicant for the public purposes provided for in s. 288.1162(6). However, a certified applicant is entitled to receive distributions up to the maximum amount allowable and undistributed under this section for additional renovations and improvements to the facility for the franchise without additional certification.

c. The department shall distribute $166,667 monthly pursuant to s. 288.11635 to each applicant that has been certified pursuant to s. 288.11635. Distributions must begin 60 days after such certification and must continue for not more than 30 years. This paragraph does not allow an applicant certified under s. 288.11635 to receive more in distributions than the applicant actually expended for the public purposes provided for in s. 288.11635(5).

d.~~c.~~ Beginning 30 days after notice by the Office of Tourism, Trade, and Economic Development to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, $166,667 shall be distributed monthly, for up to 300 months, to the applicant.

e.~~d.~~ Beginning 30 days after notice by the Office of Tourism, Trade, and Economic Development to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, $83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of $999,996 shall be made, after certification and before July 1, 2000.

8. All other proceeds shall remain with the General Revenue Fund.

Section 4. Subsection (6) of section 288.1169, Florida Statutes, is amended to read:

288.1169 International Game Fish Association World Center facility.—

(6) The Department of Commerce must recertify every 10 years that the facility is open, that the International Game Fish Association World Center continues to be the only international administrative headquarters, fishing museum, and Hall of Fame in the United States recognized by the International Game Fish Association, and that the project is meeting the minimum projections for attendance or sales tax revenues as required at the time of original certification. If the facility is not recertified during this 10-year review as meeting the minimum projections, then funding will be abated until certification criteria are met. If the project fails to generate $1 million of annual revenues pursuant to *s. 212.20* ~~paragraph (2)(e)~~, the distribution of revenues pursuant to s. 212.20(6)(d)7.d. shall be reduced to an amount equal to $83,333 multiplied by a fraction, the numerator of which is the actual revenues generated and the denominator of which is $1 million. Such reduction shall remain in effect until revenues generated by the project in a 12-month period equal or exceed $1 million.

Section 5. Paragraph (k) of subsection (7) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(7) Notwithstanding any other provision of this section, the department may provide:

(k)1. Payment information relative to chapters 199, 201, 212, 220, 221, and 624 to the Office of Tourism, Trade, and Economic Development, or its employees or agents that are identified in writing by the office to the department, in the administration of the tax refund program for qualified defense contractors authorized by s. 288.1045 and the tax refund program for qualified target industry businesses authorized by s. 288.106.

2. Information relative to tax credits taken by a business under s. 220.191 and exemptions or tax refunds received by a business under s. 212.08(5)(j) to the Office of Tourism, Trade, and Economic Development, or its employees or agents that are identified in writing by the office to the department, in the administration and evaluation of the capital investment tax credit program authorized in s. 220.191 and the semiconductor, defense, and space tax exemption program authorized in s. 212.08(5)(j).

3. Information relative to state sales tax collections authorized by s. 288.11635 to the Office of Tourism, Trade, and Economic Development, or its employees or agents, that are identified in writing by the office to the department.

Section 6. *Notwithstanding the provisions of s. 288.11635(6), Florida Statutes, the Office of Tourism, Trade, and Economic Development may certify an applicant as a facility for a professional sports franchise to the Department of Revenue as eligible for funding under s. 212.20(6)(d)7.c., Florida Statutes, without the legislative approval required in s. 288.11635(6), Florida Statutes, if the applicant has met all other necessary conditions in s. 288.11635, Florida Statutes, and if the certification is based on a professional sports franchise whose previous facility was certified under the provisions of s. 288.1162, Florida Statutes, and such facility served as the home facility for two professional sports franchises. The office of Tourism, Trade, and Economic Development may not certify an applicant based on the provisions of this section after June 30, 2007.*

Section 7. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to professional sports franchise facilities; amending s. 288.1162, F.S.; providing additional requirements with respect to certification as a facility for a new professional sports franchise or a facility for a retained professional sports franchise; providing for repeal of the requirements by a specified date; creating s. 288.11635, F.S.; requiring the Office of Tourism, Trade, and Economic Development to screen applicants for state funding under s. 212.20(6)(d)7.c., F.S., and certify each facility for a new professional sports franchise or facility for a retained professional sports franchise that is eligible for such funding; providing for legislative approval; defining terms; providing for rulemaking; providing prerequisites to certification; prohibiting a facility from receiving more than one certification; restricting the use of funds; providing limitations on certification; authorizing the Department of Revenue to conduct audits in order to verify that funds have been expended as required and to pursue recovery of inappropriately expended funds; providing for reimbursement of sales tax distributions under certain circumstances; amending s. 212.20, F.S.; providing for the amounts to be distributed to certified facilities under the act and for the timetable for such distributions; amending s. 288.1169, F.S., relating to the International Game Fish Association World Center; conforming a cross-reference; amending s. 213.053, F.S.; providing for sharing of sales tax information; authorizing funding under s. 212.20(6)(d)7.c., F.S., without legislative approval under certain circumstances; providing an effective date.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendment to be considered:

Senator Bennett moved the following amendment to **Amendment 2** which was adopted by two-thirds vote:

Amendment 2A (465560)(with title amendment)—On page 13, between lines 21 and 22, insert:

Section 7. *Any newly constructed professional sports franchise facility funded pursuant to s. 288.11635 must comply with the public shelter design criteria of the Florida Building Code and be available to serve as a public shelter for emergency management purposes. A new professional sports franchise facility is exempt from this requirement if the county in which the facility is located does not have a hurricane evacuation shelter deficit as defined by the Department of Community Affairs.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 15, line 9, after the semicolon (;) insert: providing for the use of a new facility for emergency management purposes; providing an exception;

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendment to be considered:

Senator Bennett moved the following amendment to **Amendment 2** which failed to receive the required two-thirds vote:

Amendment 2B (075882)(with title amendment)—On page 13, between lines 21 and 22, insert:

Section 7. *Notwithstanding section 6 and the provisions of s. 288.11635(6), Florida Statutes, no funds may be disbursed until approved by a majority vote of the electors of the state voting in a referendum in the next general election. After certification and, if required, necessary legislative approval, the Office of Tourism, Trade, and Economic Development shall submit a statement that includes a brief and general description of the purposes to be funded, conforming to the requirements of s. 101.161(1), to the Department of State to be reviewed and placed upon the ballot by the supervisors of elections. The Office of Tourism, Trade, and Economic Development must publish notice of the referendum once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held, in one newspaper of general circulation in each county in which a newspaper is published. Any costs associated with the required referendum must be borne by the applicant.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 15, line 7, following the semicolon (;) insert: requiring statewide referendum approval for disbursement of funds;

MOTION

On motion by Senator Siplin, the rules were waived to allow the following amendment to be considered:

Senator Siplin moved the following amendment to **Amendment 2** which failed to receive the required two-thirds vote:

Amendment 2C (651618)(with title amendment)—On page 13, between lines 21 and 22, insert:

Section 7. *In order to be certified as a retained professional sports franchise by the Office of Tourism, Trade, and Economic Development as provided by this act, the professional basketball franchise located in Orlando must establish a 30-year program to provide paid summer internships to qualified youth in the Professional Opportunities Program for students in Orange County. The amount that is paid to participants in the intern program must initially be at least $500,000. The internship shall be open to young people who are 16 through 18 years of age and who are of Haitian, Puerto Rican, or African-American descent.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 15, line 7, after the semicolon (;) insert: requiring that a retained professional sports franchise provide a paid summer internship program for minority youth in a specified program in Orange County;

Amendment 2 as amended was adopted by two-thirds vote.

On motion by Senator Garcia, **HB 615** as amended was passed and certified to the House. The vote on passage was:

Yeas—20

Alexander	Diaz de la Portilla	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Smith
Baker	Haridopolos	Villalobos
Campbell	Lynn	Webster
Clary	Margolis	Wilson
Constantine	Peaden	

Nays—16

Mr. President	Jones	Rich
Bennett	King	Sebesta
Carlton	Klein	Siplin
Crist	Lawson	Wise
Fasano	Miller	
Hill	Posey	

Vote after roll call:

Nay—Argenziano, Dockery

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

Ms. Faye Blanton May 5, 2006
Secretary of the Florida Senate

Dear Madam Secretary:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Florida Board of Auctioneers		
Appointee:	Shearer, Donald L.	10/31/2005
Florida Building Code Administrators and Inspectors Board		
Appointee:	McCormick, Robert S.	10/31/2005
Hillsborough County Civil Service Board		
Appointee:	Agliano, David W.	07/02/2005
Florida Communities Trust		
Appointee:	Lindblad, Ellen L.	01/31/2009
Board of Trustees of Miami-Dade College		
Appointee:	Mincey-Mills, Denise R.	05/31/2009
State of Florida Correctional Medical Authority		
Appointee:	Hamilton, Edwin H.	09/30/2005
Board of Cosmetology		
Appointee:	White, Anthony M.	10/31/2009
Florida Elections Commission		
Appointee:	Simmons, Alberta	12/31/2008
Board of Nursing		
Appointee:	Seitz, Maria	10/31/2009
Board of Nursing Home Administrators		
Appointee:	Johnson, Keith Edward	10/31/2005
Board of Orthotists and Prosthetists		
Appointee:	Moya, Roberto A.	10/31/2009
Board of Pilot Commissioners		
Appointee:	Bryson, Eric C.	10/31/2005
Board of Podiatric Medicine		
Appointee:	Stelnicki, James V.	09/09/2005
Florida Prepaid College Board		
Appointee:	O'Drobinak, Liana	06/30/2008
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		
Appointee:	Garceran, Carlos	09/30/2007
Florida Real Estate Commission		
Appointee:	Guevara, Marylin	10/31/2009
Florida Space Authority		
Appointees:	Barnhart, Deborah E.	06/30/2009
	Feeney, Ellen S.	06/30/2005
	Gonzalez, George L.	06/30/2009
Florida Commission on Tourism		
Appointee:	Cabrera, Carlos	06/30/2009
Alafia River Basin Board of the Southwest Florida Water Management District		
Appointee:	Tort, J.C.	03/01/2006
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District		
Appointee:	Rovira-Forino, Maritza	03/01/2008
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District		
Appointee:	Waters, Kenneth "Ken" Neil	03/01/2008
Secretary of Corrections		
Appointee:	McDonough, James R.	Pleasure of Governor
State Board of Education		
Appointee:	Callaway, Donna G.	12/31/2005
Board of Governors		
Appointees:	Albors, Rene	01/06/2006
	Desai, Akshay M.	01/06/2006
	McCollum, Ira "Bill" William, Jr.	01/06/2012
Board of Trustees, Florida A & M University		
Appointees:	Alston, Corey L.	01/06/2011
	Griffin, David	01/06/2010
Board of Trustees, Florida Atlantic University		
Appointees:	Grossman, Armand	01/06/2006
	Gupta, Rajendra P.	01/06/2006
Board of Trustees, University of Central Florida		
Appointee:	Perez, Hector "Tico" A.	01/06/2010
Board of Trustees, Florida Gulf Coast University		
Appointees:	Harrington, Lindsay	01/06/2006
	Villalobos, Plutarco Miguel "Michael"	01/06/2010
Board of Trustees, University of South Florida		

Office and Appointment	*For Term Ending*
Appointee: Smith, Jan E.	01/06/2006
Board of Trustees, University of West Florida	
Appointee: Fetterman, Nancy A.	01/06/2006
Governing Board of the St. Johns River Water Management District	
Appointee: Wood, William Leonard	03/01/2006
Governing Board of the South Florida Water Management District	
Appointee: Burt-Stewart, Miya	03/01/2010
Governing Board of the Southwest Florida Water Management District	
Appointee: Pressman, Todd	03/01/2006

The Senate Committee on Ethics and Elections did not consider the following appointees because the terms of the appointees expired:

David W. Agliano; Rene Albors; Eric C. Bryson; Donna G. Callaway; Akshay M. Desai; Ellen S. Feeney; Nancy A. Fetterman; Armand Grossman; Rajendra P. Gupta; Edwin H. Hamilton; Lindsay M. Harrington; Keith Edward Johnson; Robert S. McCormick; Todd Pressman; Donald L. Shearer; Jan E. Smith; James V. Stelnicki; J.C. Tort; William Leonard Wood

The Senate Committee on Ethics and Elections did not consider the following appointees because the appointees resigned:

David Griffin; Ellen L. Lindblad; Ira "Bill" William McCollum, Jr.; Hector A. "Tico" Perez; Maritza Rovira-Forino; Maria Seitz

The Senate Committee on Ethics and Elections did not consider the following appointment because the appointee is deceased:

Kenneth "Ken" Neil Waters

The Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2006 Regular Session of the Florida Legislature:

Corey L. Alston; Miya Burt-Stewart; Carlos Cabrera; Carlos Garceran; Marilyn Guevara; James R. McDonough; Denise R. Mincey-Mills; Roberto A. Moya; Liana O'Drobinak; Alberta Simmons; Anthony M. White

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Education considered and recommended the confirmation of the executive appointment pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointment during the 2006 Regular Session:

Plutarco Miguel "Michael" Villalobos

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections considered and recommended the confirmation of the executive appointments pursuant to 12.7(1) of the Rules of the Florida Senate. These appointments were not acted on by the Senate upon adjournment of the 2006 Regular Session of the Florida Legislature.

Deborah E. Barnhart; George L. Gonzalez

Respectfully submitted,
Bill Posey, Chair

Ms. Faye Blanton May 5, 2006
Secretary of the Florida Senate

Dear Madam Secretary:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2006 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

Office and Appointment	*For Term Beginning*
Board of Massage Therapy	
Appointee: Alfonza L. Hall	01/10/2006
Board of Landscape Architecture	
Appointee: Robert E. Bowden	02/16/2006
Board of Trustees, University of West Florida	
Appointee: Kenneth C. Clark	01/26/2006
Board of Athletic Training	
Appointee: George N. Coffee	03/01/2006
Board of Landscape Architecture	
Appointee: Phillip H. Graham, Jr.	02/16/2006
Board of Trustees, Gulf Coast Community College	
Appointee: Charles S. Isler III	03/01/2006
Board of Nursing Home Administrators	
Appointee: Keith E. Johnson	01/05/2006
Board of Trustees, Florida A & M University	
Appointee: Challis M. Lowe	01/26/2006
Board of Trustees, Edison College	
Appointee: Randall T. Parrish, Jr.	03/01/2006
Board of Trustees, Florida Keys Community College	
Appointee: Edwin A. Scales III	03/06/2006
Board of Trustees, University of Central Florida	
Appointee: Richard J. Walsh	01/26/2006
Board of Trustees, University of North Florida	
Appointee: Ann C. Hicks	01/26/2006
Board of Hearing Aid Specialists	
Appointee: Thomas F. Oakley	02/17/2006
Governing Board of the Northwest Florida Water Management District	
Appointee: Philip K. McMillan	03/03/2006
Board of Acupuncture	
Appointee: Gloria Rosello	01/05/2006
Board of Trustees, New College of Florida	
Appointee: Jerome Dupree	01/26/2006
Board of Trustees, Florida State University	
Appointees: Jessie V. Furlow	05/17/2005
Board of Trustees, Florida Atlantic University	
Appointee: Armand W. Grossman	01/26/2006
Board of Trustees, New College of Florida	
Appointee: Kenneth R. Misemer	01/26/2006
Board of Trustees, University of Florida	
Appointee: Cynthia F. O'Connell	01/26/2006
Florida Commission on Community Service	
Appointee: Vicki A. O'Meara	12/15/2005
Board of Trustees, University of South Florida	
Appointee: Debbie N. Sembler	01/24/2006

Respectfully submitted,
Bill Posey, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed SB 490, SB 512, CS for CS for SB 772, CS for CS for SB 1632, CS for CS for SB 1980 and CS for CS for SB 2300; receded from House Amendments 2 and 3 and passed CS for CS for SB 2518; and passed SJR 2788 by the required constitutional three-fifths vote of the membership of the House.

John B. Phelps, Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Reports in their entirety and passed CS for SB 394, CS for SB 818, CS for SB 840 and CS for SB 844 as amended by the Conference Committee Reports.

John B. Phelps, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment(s) to House Amendment(s) and passed CS for SB 508 as further amended; receded from House Amendment 2 and passed SB 1284; and concurred in Senate Amendments 1, 2, and 3 to House Amendment 3 and passed CS for CS for SB 2728 as further amended.

John B. Phelps, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment(s) and passed HB 113, HB 371, HB 457, HB 683, HB 1015, HB 1039, HB 1123, HB 1347, HB 1361, HB 7017, HB 7035, HB 7079, HB 7089, HB 7105, HB 7121, HB 7141, HB 7151, HB 7153 and HB 7199 as amended; receded from House Amendment 1 to Senate Amendment 2 and passed HB 7055; concurred in Senate Amendment(s) and passed HB 1629 as further amended; and passed HJR 1569 as amended by the required constitutional three-fifths vote of the membership of the House.

John B. Phelps, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 4 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for CS for CS for SB 888, CS for SB 2428; Aronberg—CS for CS for SB 142; Clary—CS for SB 1172; Crist—CS for CS for SB 256, CS for CS for SB 428, SB 434, SB 1152, CS for SB 2380, CS for SB 2556, SB 2588; Peaden—CS for CS for SB 142; Posey—SB 414, SB 570, SB 572, SB 686, SB 688, SB 934, SB 1110, SB 1342, SB 2104, SB 2106; Rich—SB 24, SB 550; Saunders—CS for CS for SB 142, CS for SB 218; Smith—CS for SB 1804

Senator Jones withdrew as a co-introducer of CS for CS for SB 1980.

ADJOURNMENT

On motion by Senator Pruitt, the Senate adjourned sine die at 11:59 p.m.