Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Atwater at 9:35 a.m. A quorum present—38:

Mr. President	Gaetz	Peaden
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Excused: Senator Richter after 6:57 p.m.

PRAYER

The following prayer was offered by Pastor Michael K. Bouie, Allen Temple African Methodist Episcopal Church, Tampa:

Loving and Gracious God, we are gathered here on a very auspicious occasion, the sixtieth day and closing day of the 2010 Legislative Session, which has been a very challenging, demanding, and difficult time. The Florida Senate has been faced with severe budgeting constraints, while at the same time, the need for state services has been increasing day by day.

Gracious God, as our state Senators begin another work day, we come together to seek your wisdom, guidance, courage, and strength. Be with them in their deliberations and help them to be wise in the decisions they make for the good of all those from Florida's sixty–seven counties, and over 8,600 cities, towns and neighborhoods, who have placed their trust and confidence in their leadership.

Give these Senators insight to lead with integrity, that their decisions may reflect what is right and good. Keep them from shortsightedness and pettiness. Help them to make decisions that strive to be for the good of all, and guard us from blind self–interest. In our differences, may we be kind; in our agreements, may we be humble; that those who learn of our Senators' work may see the fruit of cooperation working among them.

Recall us, O God, to the vision of our nation's founders. Keep alive among us the fundamental civic virtues of reason, tolerance, and fairness. Inspire our quest of national unity with an equal measure of respect for diversity. Let those who govern us remember the primary function of government—to provide for the security and well-being of all, with special protection for children and older people, for the sick and the handicapped, and for those held back by wanton discrimination. Let the domestic peace we are praying for be marked by a commitment to justice and compassion for all.

Dear God, we, the citizens of Florida, are deeply grateful for the dedication of our Senators who will be using all their God-given abilities to face the problems and challenges of these times. With public servants such as Senator Joyner, and Senator Jeff Atwater, President of the Senate, and other Senators in this chamber, and with your presence and support, all things are possible.

Cleanse the stream of our political life. Let cooperation and a shared vision of justice replace rancor and recrimination. Rekindle and keep alive our commitment to be a beacon light of freedom and a defender of peace. Hold our gaze fixed on the symbols of all that has been noblest in the life of our nation: the Bill of Rights; the poem engraved on the base of the Statue of Liberty; the words of "America the Beautiful." We come to you this morning on behalf of Florida and all its inhabitants. Amen.

PLEDGE

Minnie Bush Bradshaw, Program Specialist with the Sergeant's Office, led the Senate in the pledge of allegiance to the flag of the United States of America. Minnie, "Page Mother" in the Senate, will retire from the Senate this year.

DOCTOR OF THE DAY

The President recognized Dr. Walter B. Flesner III of Cape Coral, sponsored by Senator Fasano, and Dr. Stephanie Haridopolos of Merritt Island, sponsored by her husband, Senator Haridopolos as doctors of the day. Dr. Flesner specializes in Family Practice. Dr. Haridopolos specializes in Family Medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2868—A resolution recognizing the important contributions of Florida's charitable private foundations and other nonprofit organiza-

tions and encouraging the formation and creation of these entities in this state.

WHEREAS, the National Center on Charitable Statistics reports that there are currently more than 71,000 nonprofit organizations in this state which feed the hungry, shelter those who are cold, support education and research, and promote the arts, among other missions, and

WHEREAS, the Florida Philanthropic Network reports that the number of foundations in this state continues to grow, and one-half of the existing organizations were created since 1995, and

WHEREAS, Foundation Center data show that Florida is home to more than 4,000 foundations that gave out more than $1.43 billion to charitable organizations and causes in 2007, and

WHEREAS, the Florida Philanthropic Network reports that individuals, foundations, and corporate donors in this state gave $17.7 billion in charitable contributions in 2007, a 32 percent increase over 2001, with 75 percent of Floridians giving money to a charitable organization in 2008, and

WHEREAS, foundations and charities benefit and contribute to this state's economic and social systems because of their autonomy and corresponding abilities to operate, innovate, and take responsible programmatic risks in ways that government and business cannot, NOW, THEREFORE,

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

That the charitable foundations in this state are recognized for their innovative work in advancing quality education and cutting-edge research, feeding the hungry, providing basic financial literacy information, preserving Florida's culture and rich history, and supporting initiatives that benefit all Floridians.

BE IT FURTHER RESOLVED that the Senate of the State of Florida supports advancing laws and policies to facilitate innovation in Florida's foundations, protect their ability to self-govern, lessen the bureaucratic burden on the nonprofit community, encourage the creation of nonprofit organizations, and safeguard their vital work.

—**SR 2868** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2870—A resolution recognizing the First Annual City of Niceville Boggy Bayou BBQ Throwdown.

WHEREAS, the City of Niceville strives to provide the highest level of public services to its citizens, and

WHEREAS, the public servants and citizens of the City of Niceville recognize the vital work of the American Cancer Society in providing programs aimed at reducing the incidence and mortality rate of cancer and improving the quality of life of those whose lives are touched by the disease, and

WHEREAS, the City of Niceville is hosting the First Annual Boggy Bayou BBQ Throwdown in conjunction with the American Cancer Society's Relay for Life, with proceeds from the event benefiting the American Cancer Society and community recreational programs, and

WHEREAS, the First Annual City of Niceville Boggy Bayou BBQ Throwdown has been sanctioned by the International Barbeque Cookers Association and will provide an opportunity for participants to gain credibility and earn prequalifying status for larger competitions around the country, NOW, THEREFORE,

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

That the members of the Senate recognize the City of Niceville on the occasion of the First Annual Boggy Bayou BBQ Throwdown and wish all involved great success in the 2010 inaugural year and in years to come.

—**SR 2870** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2874—A resolution recognizing and celebrating the historical and cultural ties between Miami-Dade County and the Bahamas and expressing appreciation to Consul General Gladys Johnson-Sands for her support of the June 5, 2010, "Li'l Bahamas All Tings Caribbean Village" in Coconut Grove.

WHEREAS, Bahamian immigrants cast 162 of the 367 votes that incorporated the City of Miami on July 28, 1896, and

WHEREAS, the descendents of these immigrant craftsmen, farmers, and fishermen have contributed much to South Florida's emergence as an international destination for hospitality and tourism, and

WHEREAS, on June 5, 2010, the Bahamian consulate will host the first "Li'l Bahamas All Tings Caribbean Village" in Coconut Grove featuring the Junkanoo Jam, which will present the best of calypso, rake and scrape, junkanoo, and gospel, and

WHEREAS, the Li'l Bahamas All Tings Caribbean Village will include a Bahamian pavilion promoting sustainable tourism and hospitality, green living, the marine industry, travel, real estate, trade and commerce, finance and investment, and arts and crafts made by emerging and master artists from the Bahamas, and

WHEREAS, the Li'l Bahamas All Tings Caribbean Village is the brainchild of Consul General Gladys Johnson-Sands, who is dedicated to the realization of her vision for a new Afro-Bahamian Culture and Commerce Center for Economic, Family, and Community Development, which will include a cottage industry business incubator, NOW, THEREFORE,

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

That the members of the Senate recognize and celebrate the historical and cultural ties between Miami-Dade County and the Bahamas and express appreciation to Consul General Gladys Johnson-Sands for her support of the June 5, 2010, "Li'l Bahamas All Tings Caribbean Village" in Coconut Grove.

—**SR 2874** was introduced, read and adopted by publication.

MOTION

On motion by Senator Villalobos, the rules were waived and time of recess was extended until time of Sine Die.

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

SPECIAL ORDER CALENDAR

Consideration of **SB 1106**, **CS for CS for SB 924**, **CS for CS for CS for SB 382** and **CS for SB 220** was deferred.

The Senate resumed consideration of—

CS for CS for CS for HB 631—A bill to be entitled An act relating to motor vehicles; amending ss. 261.03 and 317.0003, F.S.; redefining the term "ROV" for purposes of provisions relating to off-highway vehicles to include vehicles of increased width and weight; amending s. 316.1951, F.S.; removing a requirement that the Department of Highway Safety and Motor Vehicles adopt a uniform written notice to be used to enforce provisions that prohibit parking a motor vehicle on certain property for the purpose of displaying the motor vehicle as being for sale, hire, or rental; removing a requirement that each law enforcement agency provide its own notice for such enforcement; authorizing a local government to adopt an ordinance to enforce such provisions; authorizing a code enforcement officer from any local government agency to enforce such

provisions; providing for immediate removal of a motor vehicle in violation of specified provisions; providing for assessment of a fine in addition to towing and storage fees; requiring a release form prescribed by the department to be completed before release of the motor vehicle; amending s. 318.14, F.S.; providing a lifetime limitation on the number of times a person may elect to attend a driver improvement course in lieu of appearing in court for certain traffic infractions; amending s. 318.18, F.S.; specifying a fine for a vehicle that is displayed for sale, hire, or rental in violation of such provisions; providing for disposition of fines collected; amending s. 319.225, F.S.; prohibiting the department from requiring the signature of the transferor to be notarized on certain motor vehicle title transfer forms relating to mileage of the vehicle; requiring the forms to include an affidavit declaring facts in the document to be true; amending s. 319.23, F.S.; providing that, under certain circumstances, a motor vehicle dealer is not required to apply for a certificate of title for a motor vehicle sold to a general purchaser who resides outside the state; amending s. 319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the department or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the department for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or secondary metals recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record by check or money order; amending s. 320.02, F.S.; directing the department to place the name of the owner of a motor vehicle on the list of persons who may not be issued a license plate or revalidation sticker if that person is on a list submitted to the department by a licensed dealer; amending s. 320.27, F.S.; clarifying an exemption from certain dealer prelicensing requirements; removing a requirement for evaluation of privatized applicant training methods; authorizing dealer records to be kept in either paper or electronic form; providing procedures for transfer of documents to electronic form; authorizing the department to deny, suspend, or revoke a dealer's license for certain actions relating to payments made to the department; authorizing a dealer training school to cancel the training certificate issued to a student for certain actions relating to payments made to the school; amending s. 322.0261, F.S.; revising provisions requiring persons who were convicted of or who pleaded nolo contendere to specified traffic infractions to attend a driver improvement course; providing that the department shall not require a person to attend a driver improvement course for specified traffic violations when adjudication has been withheld by the court; requiring the department to send notice of a requirement to attend a driver improvement course within a certain time period after receiving a report of an adjudication; providing an effective date.

—which was previously considered April 29. Pending **Amendment 1 (852148)** by Senator Crist was withdrawn.

MOTION

On motion by Senator Crist, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Crist moved the following amendment which was adopted:

Amendment 2 (421972) (with title amendment)—Delete lines 1130-1142 and insert:

(4)*(a)* The department shall identify any operator convicted of, or who pleaded nolo contendere to, a violation of s. 316.074(1), s. 316.075(1)(c)1., s. 316.172, s. 316.191, or s. 316.192 and shall require that operator, in addition to other applicable penalties, to attend a department-approved driver improvement course in order to maintain driving privileges. *The department shall, within 10 days after receiving a notice of judicial disposition, send notice to the operator of the requirement to attend a driver improvement course.* If the operator fails to complete the course within 90 days after receiving notice from the department, the operator's driver license shall be canceled by the department until the course is successfully completed.

(b) Any operator who receives a traffic citation for a violation of s. 316.074(1), s. 316.075(1)(c)1., s. 316.191, or s. 316.192, for which the court withholds adjudication, is not required to attend a driver improvement course, unless the court finds that the nature or severity of the violation is such that attendance to a driver improvement course is necessary. The department shall, within 10 days after receiving a notice of judicial disposition, send notice to the operator of the requirement to attend a driver improvement course. If the operator fails to complete the course within 90 days after receiving notice from the department, the operator's driver license shall be canceled by the department until the course is successfully completed.

(c) Any operator who receives a traffic citation for a violation of s. 316.172, for which the court withholds adjudication, is required to attend a driver improvement course. The department shall, within 10 days after receiving a notice of judicial disposition, send notice to the operator of the requirement to attend a driver improvement course. If the operator fails to complete the course within 90 days after receiving notice from the department, the operator's driver license shall be canceled by the department until the course is successfully completed.

Section 13. Subsection (7) of section 627.7295, Florida Statutes, is amended to read:

627.7295 Motor vehicle insurance contracts.—

(7) A policy of private passenger motor vehicle insurance or a binder for such a policy may be initially issued in this state only if the insurer or agent has collected from the insured an amount equal to 2 months' premium. An insurer, agent, or premium finance company may not, directly or indirectly, take any action resulting in the insured having paid from the insured's own funds an amount less than the 2 months' premium required by this subsection. This subsection applies without regard to whether the premium is financed by a premium finance company or is paid pursuant to a periodic payment plan of an insurer or an insurance agent. This subsection does not apply if an insured or member of the insured's family is renewing or replacing a policy or a binder for such policy written by the same insurer or a member of the same insurer group. This subsection does not apply to an insurer that issues private passenger motor vehicle coverage primarily to active duty or former military personnel or their dependents. This subsection does not apply if all policy payments are paid pursuant to a payroll deduction plan or an automatic electronic funds transfer payment plan from the policyholder, provided that the first policy payment is made by cash, cashier's check, check, or a money order. This subsection and subsection (4) do not apply if all policy payments to an insurer are paid pursuant to an automatic electronic funds transfer payment plan from an agent, ~~or~~ a managing general agent, *or a premium finance company* and if the policy includes, at a minimum, personal injury protection pursuant to ss. 627.730-627.7405; motor vehicle property damage liability pursuant to s. 627.7275; and bodily injury liability in at least the amount of $10,000 because of bodily injury to, or death of, one person in any one accident and in the amount of $20,000 because of bodily injury to, or death of, two or more persons in any one accident. This subsection and subsection (4) do not apply if an insured has had a policy in effect for at least 6 months, the insured's agent is terminated by the insurer that issued the policy,

and the insured obtains coverage on the policy's renewal date with a new company through the terminated agent.

And the title is amended as follows:

Delete lines 104-107 and insert: been withheld by the court in certain circumstances; requiring the department to send notice of a requirement to attend a driver improvement course within a certain time period after receiving a report of an adjudication; amending s. 627.7295, F.S.; revising application of certain provisions relating to motor vehicle insurance contracts; providing an

On motion by Senator Crist, further consideration of **CS for CS for CS for HB 631** as amended was deferred.

SB 978—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Fraternal Order of Police license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of the plate; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 978** to **CS for HB 289**.

Pending further consideration of **SB 978** as amended, on motion by Senator Fasano, by two-thirds vote **CS for HB 289** was withdrawn from the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

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

CS for HB 289—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; revising authorized uses of revenue received from the sale of the Sea Turtle license plate; creating the Fraternal Order of Police license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—a companion measure, was substituted for **SB 978** as amended and read the second time by title.

On motion by Senator Fasano, by two-thirds vote **CS for HB 289** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Garcia	Rich
Alexander	Gardiner	Richter
Altman	Gelber	Ring
Aronberg	Haridopolos	Siplin
Baker	Hill	Smith
Bennett	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Fasano	Negron	Wise
Gaetz	Peaden	

Nays—3

Constantine	Dockery	Oelrich

Vote after roll call:

Yea—Bullard

The Senate resumed consideration of—

CS for SB 220—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; deleting a requirement that a specified penalty is mandatory and may not be waived by the Department of Revenue; deleting authorization to return certain aircraft to the state for repairs without liability for taxes and penalties under certain circumstances; amending s. 212.08, F.S.; exempting from the use tax aircraft that are owned by nonresidents and that enter and remain in the state for certain purposes under certain circumstances; providing an effective date.

—which was previously considered April 28.

Pending further consideration of **CS for SB 220**, on motion by Senator Fasano, by two-thirds vote **CS for HB 173** was withdrawn from the Committees on Commerce; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Fasano, by two-thirds vote—

CS for HB 173—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; deleting a requirement that a certain penalty is mandatory and not waivable by the Department of Revenue; deleting authorization to return certain aircraft to the state for repairs without liability for taxes and penalty under certain circumstances; amending s. 212.08, F.S.; exempting from the use tax aircraft owned by nonresidents and entering and remaining in the state for certain purposes under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 220** and by two-thirds vote read the second time by title.

On motion by Senator Fasano, by two-thirds vote **CS for HB 173** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Aronberg	Gelber	Siplin
Baker	Haridopolos	Smith
Bennett	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	
Fasano	Peaden	

Nays—None

Vote after roll call:

Yea—Oelrich

SENATOR VILLALOBOS PRESIDING

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2044, with 1 amendment, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for SB 2044—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; delaying the repeal of a provision exempting medical malpractice insurance premiums from emergency assessments to the Hurricane Catastrophe Fund; delaying the date on and after which medical malpractice insurance premiums become subject to emergency assessments; amending s. 624.408, F.S.; revising the minimum surplus as to policyholders which must be

maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4085, F.S.; defining the term "surplus action level;" expanding the list of items that must be included in an insurer's risk-based capital plan; specifying actions constituting a surplus action level event; requiring that an insurer submit to the office a risk-based capital plan upon the occurrence of such event; providing requirements for such plan; preserving the existing authority of the office; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer's gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 626.221, F.S.; exempting certain individuals from the requirement to pass an examination before being issued a license as an agent, customer representative, or adjuster; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; creating s. 624.611, F.S.; authorizing an insurer to submit to the Office of Insurance Regulation a plan to use financial contracts other than reinsurance contracts to provide catastrophe loss funding; providing requirements for such a plan; authorizing an insurer to take certain action if the office approves such plan; amending s. 626.7452, F.S.; removing an exception relating to the examination of managing general agents; amending s. 626.854, F.S.; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term "written advertisement;" requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; providing limitations on the amount of compensation that may be received for a reopened or supplemental claim; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms "supplemental claim" or "reopened claim;" providing applicability; amending s. 626.9744, F.S.; requiring insurers to use retail cost quotations or estimates based on current market prices in determining repair or replacement cost estimates; amending s. 627.0613, F.S.; requiring the office of the consumer advocate to objectively grade insurers annually based on the number of valid consumer complaints and other measurable and objective factors; defining the term "valid consumer complaint;" amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, prohibiting an insurer from paying acquisition costs based on the full amount of the premium; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; authorizing an insurer to make a rate filing limited to changes in the cost of reinsurance, the cost of financing products used as a replacement for reinsurance, or changes in an inflation trend factor published annually by the Office of Insurance Regulation; providing that an insurer may use this provision only if the increase from such filing and any other rate filing does not exceed 10 percent for any policyholder in a policy year; deleting provisions relating to a rate filing for financing products relating to the Temporary Increase in Coverage Limits; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; specifying the information that an insurer must include in a rate filing based on the change in an inflation trend factor published by the Office of Insurance Regulation; requiring that the office annually publish one or more inflation trend factors; exempting the inflation trend factors from rulemaking; providing that an insurer is not required to adopt an inflation trend factor; requiring the Office of Insurance Regulation to propose a plan for developing a website, contingent upon an appropriation, which provides consumers with information necessary to make an informed decision when purchasing homeowners' insurance; requiring that the Financial Services Commission review the proposed plan to implement the website; specifying matters that the Office of Insurance Regulation must consider in developing the website; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; deleting provisions that require the office to develop certain rate differentials for hurricane mitigation measures; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; requiring the Office of Insurance Regulation to reevaluate discounts, debits, credits, and other rate differentials by a certain date; requiring the Office of Insurance Regulation, in consultation with the Department of Financial Services and the Department of Community Affairs, to develop a method for insurers to establish debits for certain hurricane mitigation measures by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; amending s. 627.351, F.S.; renaming the "high-risk account" as the "coastal account;" revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; requiring applicants for coverage and policyholders to sign an acknowledgment that a policy may be subject to surcharges under certain circumstances; prohibiting board members from voting on certain measures; changing the date on which the boundaries of high-risk areas eligible for certain wind-only coverages will be reduced if certain circumstances exist; providing a directive to the Division of Statutory Revision; amending s. 627.4133, F.S.; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.41341, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring that an insurer pay the actual cash value of an insured loss, less any applicable deductible, under certain circumstances; requiring that a policyholder enter into a contract for the performance of building and structural repairs; requiring that an insurer pay certain remaining amounts; prohibiting a mortgagor from retaining payments from an insurer for a loss; restricting insurers and contractors from requiring advance payments for certain repairs and expenses; authorizing an insured to make a claim for replacement costs within a certain period after the insurer pays actual cash value to make a claim for replacement costs; requiring an insurer to pay the replacement costs if a total loss occurs; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; amending s. 627.7015, F.S.; requiring the Department of Financial Services to prepare a statement or information by rule which must be included in a notice by an insurer informing claimants of the right to participate in a mediation program; specifying

documentation that an insurer and insured must provide to a mediator in a dispute over an estimate to repair or replace property; requiring the Department of Financial Services to adopt rules specifying the type of documentation that must be submitted during a mediation; defining the term "claim dispute" as it relates to disputes between an insurer and insured; amending s. 627.707, F.S.; revising standards for investigation of sinkhole claims by insurers; specifying requirements for contracts for repairs to prevent additional damage to buildings or structures; providing for applicability; amending s. 627.7073, F.S.; revising requirements for sinkhole reports; providing for applicability; amending s. 627.7074, F.S.; revising requirements and procedures for alternative dispute resolution of sinkhole insurance claims; defining the term "substantially related matter;" providing criteria and procedures for disqualification of neutral evaluators; providing requirements and procedures for neutral evaluators to enlist assistance from other professionals under certain circumstances; providing for applicability; amending s. 627.711, F.S.; revising the list of persons qualified to sign certain mitigation verification forms for certain purposes; authorizing insurers to accept forms from certain other persons; providing requirements for persons authorized to sign mitigation forms; prohibiting misconduct in performing hurricane mitigation inspection or completing uniform mitigation forms causing certain harm; specifying what constitutes misconduct; authorizing certain licensing boards to commence disciplinary proceedings and impose administrative fines and sanctions; providing for liability of mitigation inspectors; requiring certain entities to file reports of evidence of fraud; providing for immunity from liability for reporting fraud; providing for investigative reports from the Division of Insurance Fraud; providing penalties; authorizing insurers to require independent verification of uniform mitigation verification forms; creating s. 628.252, F.S.; requiring that every domestic property insurer notify the office of its intention to enter into certain agreements, contracts, and arrangements; prohibiting a domestic property insurer from entering into such agreements, contracts, or arrangements unless specified criteria are met; preserving the existing authority of the office; providing an appropriation to the Office of Insurance Regulation and authorizing an additional position; providing effective dates.

House Amendment 1 (203343)—Remove lines 1659-1664 and insert:

(d) The commission may adopt rules and forms pursuant to

Senator Gelber moved the following amendment which failed:

Senate Amendment 1 (477120) (with title amendment) to House Amendment 1—Delete lines 4 and 5.

Delete lines 275-3848 and insert:

Section 1. Paragraph (a) of subsection (2) of section 627.062, Florida Statutes, is amended 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 except as provided in subparagraph 3.:

1. If the filing 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, then 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.

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).

3. For all property insurance filings made or submitted after January 25, 2007, but before December 31, *2012* ~~2010~~, an insurer seeking a rate that is greater than the rate most recently approved by the office shall make a "file and use" filing. For purposes of this subparagraph, motor vehicle collision and comprehensive coverages are not considered to be property coverages.

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

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete lines 3-270 and insert: 627.062, F.S.; extending the period during which property insurers must make a "file and use" filing when seeking a rate increase;

Senator Richter moved the following amendment which was adopted:

Senate Amendment 2 (559146) (with title amendment) to House Amendment 1—Delete lines 4 and 5 and insert:

Delete lines 427-3679 and insert:

(g) For a residential property insurer having a certificate of authority before July 1, 2010, $5 million until July 1, 2015, $10 million after July 1, 2015, and $15 million after July 1, 2020. The office may reduce this surplus requirement if the insurer is not writing new business, has premiums in force of less than $1 million per year in residential property insurance, or is a mutual insurance company. ~~following amounts apply instead of the $4 million required by subparagraph (a)5.:~~

~~1. On December 31, 2001, and until December 30, 2002, $3 million.~~

~~2. On December 31, 2002, and until December 30, 2003, $3.25 million.~~

~~3. On December 31, 2003, and until December 30, 2004, $3.6 million.~~

~~4. On December 31, 2004, and thereafter, $4 million.~~

(2) For purposes of this section, liabilities *do* ~~shall~~ not include liabilities required under s. 625.041(4). For purposes of computing minimum surplus as to policyholders pursuant to s. 625.305(1), liabilities shall include liabilities required under s. 625.041(4).

(3) *This section does not require any* ~~No~~ insurer ~~shall be required under this section~~ to have surplus as to policyholders greater than $100 million.

(4) A mortgage guaranty insurer shall maintain a minimum surplus as required by s. 635.042.

Section 3. Present paragraph (q) of subsection (1) of section 624.4085, Florida Statutes, is redesignated as paragraph (r), and a new paragraph (q) is added to that subsection, paragraph (b) of subsection (3) of that section is amended, and subsections (7) through (13) of that section are redesignated as subsections (9) through (15), respectively, and new subsections (7) and (8) are added to that section, to read:

624.4085 Risk-based capital requirements for insurers.—

(1) As used in this section, the term:

(q) "Surplus action level" means a loss of surplus on any quarterly or annual financial report which exceeds 15 percent, or which cumulatively for the calendar year exceeds 15 percent as of the most recent filed quarterly or annual report.

(3)

(b) If a company action level event occurs, the insurer shall prepare and submit to the office a risk-based capital plan, which must:

1. Identify the conditions that contribute to the company action level event;

2. Contain proposals of corrective actions that the insurer intends to take and that are reasonably expected to result in the elimination of the company action level event;

3. Provide projections of the insurer's financial results in the current year and at least the 4 succeeding years, both in the absence of proposed corrective actions and giving effect to the proposed corrective actions, including projections of statutory operating income, net income, capital, and surplus. The projections for both new and renewal business may include separate projections for each major line of business and, if separate projections are provided, must separately identify each significant income, expense, and benefit component;

4. Identify the key assumptions affecting the insurer's projections and the sensitivity of the projections to the assumptions; ~~and~~

5. Identify the quality of, and problems associated with, the insurer's business, including, but not limited to, its assets, anticipated business growth and associated surplus strain, extraordinary exposure to risk, mix of business, and any use of reinsurance*; and*~~.~~

6. Include, at the request of the office, for a residential property insurer that conducts any business with affiliates, a columnar worksheet, which shall include all affiliates who have contracted with, done business with, or otherwise received remuneration from the insurer and shall list the following financial information from the immediately preceding calendar year, listed separately for each affiliate:

a. Total assets;

b. Total liabilities;

c. Surplus or shareholders equity;

d. Net income after taxes or distributions made solely for satisfying tax liabilities;

e. Total amounts received or receivable from parents, subsidiaries, and affiliates;

f. Total amounts paid or payable to any parent, subsidiaries, and affiliates;

g. Dividends paid or payable to shareholders of common stock;

h. Debt service, including principle and interest, paid on debt incurred to capitalize or recapitalize insurance companies or fund other insurance-related activities; and

i. Payments made for other contractual obligations to support insurance-related activities.

(7)(a) A surplus action level event includes:

1. The filing of a quarterly or annual statutory financial statement by an insurer, which indicates that the insurer's total surplus has declined by more than 15 percent from the previous year's annual statement, or cumulatively for the current year through the most recent quarterly financial statement;

2. The notification by the office to the insurer of an adjusted quarterly or annual financial statement that indicates an event in subparagraph 1., unless the insurer challenges the adjusted quarterly or annual financial statement under subsection (9); or

3. The notification by the office to the insurer that the office has, after a hearing, rejected the insurer's challenge if an insurer challenges, under subsection (9), an adjusted quarterly or annual financial statement that indicates an event in subparagraph 1.

(b) If a surplus action level event occurs, the insurer must prepare and submit to the office a risk-based capital plan, which must:

1. Identify the conditions that contribute to the surplus action level event;

2. Contain proposals of corrective actions that the insurer intends to take and that are reasonably expected to ultimately result in the elimination of additional surplus losses;

3. Provide projections of the insurer's financial results in the current year and at least the 2 succeeding years, both in the absence of proposed corrective actions and giving effect to the proposed corrective actions, including projections of statutory operating income, net income, capital, and surplus. The projections for both new and renewal business may include separate projections for each major line of business and, if separate projections are provided, must separately identify each significant income, expense, and benefit component;

4. Identify the key assumptions affecting the insurer's projections and the sensitivity of the projections to the assumptions;

5. Identify the quality of, and problems associated with, the insurer's business, including, but not limited to, its assets, anticipated business growth and associated surplus strain, extraordinary exposure to risk, mix of business, and any use of reinsurance;

6. Include, at the request of the office, for a residential property insurer that conducts any business with affiliates, a columnar worksheet, which shall include all affiliates who have received remuneration from the insurer and shall list the following financial information from the immediately preceding calendar year listed separately for each affiliate:

a. Total assets;

b. Total liabilities;

c. Surplus or shareholders equity;

d. Net income after taxes or distributions made solely for satisfying tax liabilities;

e. Total amounts received or receivable from parents, subsidiaries, and affiliates;

f. Total amounts paid or payable to any parent, subsidiaries, and affiliates;

g. Dividends paid or payable to shareholders of common stock;

h. Debt service, including principle and interest, paid on debt incurred to capitalize or recapitalize insurance companies or fund other insurance-related activities; and

i. Payments made for other contractual obligations to support insurance-related activities.

7. Contain, at the request of the office, a recertification of reserves for the insurer prepared by an actuary.

(c) The risk-based capital plan must be submitted:

1. Within 45 days after the surplus action level event; or

2. If the insurer challenges an adjusted quarterly or annual financial statement under subsection (9), within 45 days after notification to the insurer that the office has, after a hearing, rejected the insurer's challenge.

(8) This section does not limit any existing authority of the office.

Section 4. Subsection (7) is added to section 624.4095, Florida Statutes, to read:

624.4095 Premiums written; restrictions.—

(7) For purposes of this section, s. 624.407, and s. 624.408, with regard to capital and surplus requirements, gross written premiums for federal multiple-peril crop insurance which are ceded to the Federal Crop Insurance Corporation or authorized reinsurers may not be included in the calculation of an insurer's gross writing ratio. The liabilities for ceded reinsurance premiums payable for federal multiple-peril crop insurance ceded to the Federal Crop Insurance Corporation and authorized reinsurers shall be netted against the asset for amounts recoverable from

reinsurers. Each insurer that writes other insurance products together with federal multiple-peril crop insurance shall disclose in the notes to its annual and quarterly financial statements, or in a supplement to those statements, the gross written premiums for federal multiple-peril crop insurance.

Section 5. Paragraph (n) is added to subsection (2) of section 626.221, Florida Statutes, to read:

626.221 Examination requirement; exemptions.—

(2) However, no such examination shall be necessary in any of the following cases:

(n) An applicant for license as a customer representative with respect to property insurance who has earned the designation of Certified Insurance Representative (CIR) from the National Association of Christian Catastrophe Insurance Adjusters.

Section 6. Subsection (8) of section 624.424, Florida Statutes, is amended to read:

624.424 Annual statement and other information.—

(8)(a) All authorized insurers must have conducted an annual audit by an independent certified public accountant and must file an audited financial report with the office on or before June 1 for the preceding year ending December 31. The office may require an insurer to file an audited financial report earlier than June 1 upon 90 days' advance notice to the insurer. The office may immediately suspend an insurer's certificate of authority by order if an insurer's failure to file required reports, financial statements, or information required by this subsection or rule adopted pursuant thereto creates a significant uncertainty as to the insurer's continuing eligibility for a certificate of authority.

(b) Any authorized insurer otherwise subject to this section having direct premiums written in this state of less than $1 million in any calendar year and fewer than 1,000 policyholders or certificateholders of directly written policies nationwide at the end of such calendar year is exempt from this section for such year unless the office makes a specific finding that compliance is necessary in order for the office to carry out its statutory responsibilities. However, any insurer having assumed premiums pursuant to contracts or treaties or reinsurance of $1 million or more is not exempt. Any insurer subject to an exemption must submit by March 1 following the year to which the exemption applies an affidavit sworn to by a responsible officer of the insurer specifying the amount of direct premiums written in this state and number of policyholders or certificateholders.

(c) The board of directors of an insurer shall hire the certified public accountant that prepares the audit required by this subsection and the board shall establish an audit committee of three or more directors of the insurer or an affiliated company. The audit committee shall be responsible for discussing audit findings and interacting with the certified public accountant with regard to her or his findings. The audit committee shall be comprised solely of members who are free from any relationship that, in the opinion of its board of directors, would interfere with the exercise of independent judgment as a committee member. The audit committee shall report to the board any findings of adverse financial conditions or significant deficiencies in internal controls that have been noted by the accountant. The insurer may request the office to waive this requirement of the audit committee membership based upon unusual hardship to the insurer.

(d) An insurer may not use the same accountant or partner of an accounting firm responsible for preparing the report required by this subsection for more than *5* ~~7~~ consecutive years. Following this period, the insurer may not use such accountant or partner for a period of *5* ~~2~~ years, but may use another accountant or partner of the same firm. An insurer may request the office to waive this prohibition based upon an unusual hardship to the insurer and a determination that the accountant is exercising independent judgment that is not unduly influenced by the insurer considering such factors as the number of partners, expertise of the partners or the number of insurance clients of the accounting firm; the premium volume of the insurer; and the number of jurisdictions in which the insurer transacts business.

(e) The commission shall adopt rules to implement this subsection, which rules must be in substantial conformity with the 1998 Model Rule Requiring Annual Audited Financial Reports adopted by the National Association of Insurance Commissioners or subsequent amendments, except where inconsistent with the requirements of this subsection. Any exception to, waiver of, or interpretation of accounting requirements of the commission must be in writing and signed by an authorized representative of the office. No insurer may raise as a defense in any action, any exception to, waiver of, or interpretation of accounting requirements, unless previously issued in writing by an authorized representative of the office.

Section 7. Section 626.7452, Florida Statutes, is amended to read:

626.7452 Managing general agents; examination authority.—The acts of the managing general agent are considered to be the acts of the insurer on whose behalf it is acting. A managing general agent may be examined as if it were the insurer ~~except in the case where the managing general agent solely represents a single domestic insurer~~.

Section 8. Effective June 1, 2010, subsection (11) of section 626.854, Florida Statutes, is amended to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(11)(a) If a public adjuster enters into a contract with an insured or claimant to reopen a claim or to file a supplemental claim that seeks additional payments for a claim that has been previously paid in part or in full or settled by the insurer, the public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value based on a previous settlement or previous claim payments by the insurer for the same cause of loss. The charge, compensation, payment, commission, fee, or other thing of value may be based only on the claim payments or settlement obtained through the work of the public adjuster after entering into the contract with the insured or claimant. *Compensation for a reopened or supplemental claim may not exceed 20 percent of the reopened or supplemental claim payment.* The contracts described in this paragraph are not subject to the limitations in paragraph (b).

(b) A public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value in excess of:

1. Ten percent of the amount of insurance claim payments by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor. This provision applies to claims made during the period of 1 year after the declaration of emergency. *After the period of 1 year, the limitations in subparagraph 2. apply.*

2. Twenty percent of the amount of ~~all other~~ insurance claim payments *by the insurer for claims that are not based on events that are the subject of a declaration of a state of emergency by the Governor.*

The provisions of subsections (5)-(13) apply only to residential property insurance policies and condominium association policies as defined in s. 718.111(11).

Section 9. Effective January 1, 2011, section 626.854, Florida Statutes, as amended by this act, is amended to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(1) A "public adjuster" is any person, except a duly licensed attorney at law as hereinafter in s. 626.860 provided, who, for money, commission, or any other thing of value, prepares, completes, or files an insurance claim form for an insured or third-party claimant or who, for money, commission, or any other thing of value, acts or aids in any manner on behalf of an insured or third-party claimant in negotiating for or effecting the settlement of a claim or claims for loss or damage covered by an insurance contract or who advertises for employment as an adjuster of such claims, and also includes any person who, for money, commission, or any other thing of value, solicits, investigates, or adjusts such claims on behalf of any such public adjuster.

(2) This definition does not apply to:

(a) A licensed health care provider or employee thereof who prepares or files a health insurance claim form on behalf of a patient.

(b) A person who files a health claim on behalf of another and does so without compensation.

(3) A public adjuster may not give legal advice. A public adjuster may not act on behalf of or aid any person in negotiating or settling a claim relating to bodily injury, death, or noneconomic damages.

(4) For purposes of this section, the term "insured" includes only the policyholder and any beneficiaries named or similarly identified in the policy.

(5) A public adjuster may not directly or indirectly through any other person or entity solicit an insured or claimant by any means except on Monday through Saturday of each week and only between the hours of 8 a.m. and 8 p.m. on those days.

(6) A public adjuster may not directly or indirectly through any other person or entity initiate contact or engage in face-to-face or telephonic solicitation or enter into a contract with any insured or claimant under an insurance policy until at least 48 hours after the occurrence of an event that may be the subject of a claim under the insurance policy unless contact is initiated by the insured or claimant.

(7) An insured or claimant may cancel a public adjuster's contract to adjust a claim without penalty or obligation within 3 business days after the date on which the contract is executed or within 3 business days after the date on which the insured or claimant has notified the insurer of the claim, by phone or in writing, whichever is later. The public adjuster's contract shall disclose to the insured or claimant his or her right to cancel the contract and advise the insured or claimant that notice of cancellation must be submitted in writing and sent by certified mail, return receipt requested, or other form of mailing which provides proof thereof, to the public adjuster at the address specified in the contract; provided, during any state of emergency as declared by the Governor and for a period of 1 year after the date of loss, the insured or claimant shall have 5 business days after the date on which the contract is executed to cancel a public adjuster's contract.

(8) It is an unfair and deceptive insurance trade practice pursuant to s. 626.9541 for a public adjuster or any other person to circulate or disseminate any advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance which is untrue, deceptive, or misleading.

(a) For purposes of this section, the following statements, if made in any public adjuster's advertisement or solicitation, shall be considered deceptive or misleading:

1. A statement or representation that invites an insured policyholder to submit a claim when the policyholder does not have covered damage to insured property.

2. Any statement or representation that invites an insured policyholder to submit a claim by offering monetary or other valuable inducement.

3. A statement or representation that invites an insured policyholder to submit a claim by stating that there is "no risk" to the policyholder by submitting such claim.

4. Any statement or representation, or use of a logo or shield, that would imply or could be mistakenly construed that the solicitation was issued or distributed by a governmental agency or is sanctioned or endorsed by a governmental agency.

(b) For purposes of this paragraph, the term "written advertisement" includes only newspapers, magazines, flyers, and bulk mailers. The following disclaimer, which is not required to be printed on standard size business cards, shall be added in bold print and capital letters in typeface no smaller than the typeface of the body of the text to all written advertisements by any public adjuster:

"THIS IS A SOLICITATION FOR BUSINESS. IF YOU HAVE HAD A CLAIM FOR AN INSURED PROPERTY LOSS OR DAMAGE AND YOU ARE SATISFIED WITH THE PAYMENT BY YOUR INSURER, YOU MAY DISREGARD THIS ADVERTISEMENT."

(9) A public adjuster, a public adjuster apprentice, or any person or entity acting on behalf of a public adjuster or public adjuster apprentice may not give or offer to give a monetary loan or advance to a client or prospective client.

(10) A public adjuster, public adjuster apprentice, or any individual or entity acting on behalf of a public adjuster or public adjuster apprentice may not give or offer to give, directly or indirectly, any article of merchandise having a value in excess of $25 to any individual for the purpose of advertising or as an inducement to entering into a contract with a public adjuster.

(11)(a) If a public adjuster enters into a contract with an insured or claimant to reopen a claim or to file a supplemental claim that seeks additional payments for a claim that has been previously paid in part or in full or settled by the insurer, the public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value based on a previous settlement or previous claim payments by the insurer for the same cause of loss. The charge, compensation, payment, commission, fee, or other thing of value may be based only on the claim payments or settlement obtained through the work of the public adjuster after entering into the contract with the insured or claimant. Compensation for a reopened or supplemental claim may not exceed 20 percent of the reopened or supplemental claim payment. The contracts described in this paragraph are not subject to the limitations in paragraph (b).

(b) A public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value in excess of:

1. Ten percent of the amount of insurance claim payments by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor. This provision applies to claims made during the period of 1 year after the declaration of emergency. After the period of 1 year, the limitations in subparagraph 2. apply.

2. Twenty percent of the amount of insurance claim payments by the insurer for claims that are not based on events that are the subject of a declaration of a state of emergency by the Governor.

(12) Each public adjuster shall provide to the claimant or insured a written estimate of the loss to assist in the submission of a proof of loss or any other claim for payment of insurance proceeds. The public adjuster shall retain such written estimate for at least 5 years and shall make such estimate available to the claimant or insured and the department upon request.

(13) A public adjuster, public adjuster apprentice, or any person acting on behalf of a public adjuster or apprentice may not accept referrals of business from any person with whom the public adjuster conducts business if there is any form or manner of agreement to compensate the person, whether directly or indirectly, for referring business to the public adjuster. A public adjuster may not compensate any person, except for another public adjuster, whether directly or indirectly, for the principal purpose of referring business to the public adjuster.

(14) A company employee adjuster, independent adjuster, attorney, investigator, or other persons acting on behalf of an insurer that needs access to an insured or claimant or to the insured property that is the subject of a claim shall provide at least 48 hours' notice to the insured or claimant, public adjuster, or legal representative before scheduling a meeting with the claimant or an onsite inspection of the insured property. The insured or claimant may deny access to the property if this notice has not been provided. The insured or claimant may waive this 48-hour notice.

(15)(a) A public adjuster shall ensure prompt notice of any property loss claim submitted to an insurer by or through a public adjuster or on which a public adjuster represents the insured at the time the claim or notice of loss is submitted to the insurer. The public adjuster shall ensure that notice is given to the insurer, the public adjuster's contract is provided to the insurer, the property is made available for inspection of the loss or damage by the insurer, and the insurer is given an opportunity to interview the insured directly about the loss and claim. The insurer shall be allowed to obtain necessary information to investigate and respond to

the claim. The insurer may not exclude the public adjuster from its in-person meetings with the insured. The insurer shall meet or communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy. This section does not impair the terms and conditions of the insurance policy in effect at the time the claim is filed.

(b) A public adjuster may not restrict or prevent an insurer, company employee adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to any insured or claimant or to the insured property that is the subject of a claim.

(c) A public adjuster may not act or fail to reasonably act in any manner that would obstruct or prevent an insurer or insurer's adjuster from timely gaining access to conduct an inspection of any part of the insured property for which there is a claim for loss or damage to the property. The public adjuster that represents the insured may be present for the insurer's inspection of the property loss or damage but, if the lack of availability of the public adjuster would otherwise delay the access to or the inspection of the insured property by the insurer, the public adjuster or the insured must allow the insurer to gain access to the insured property to facilitate the insurer's prompt inspection of the loss or damage without the participation or presence of the public adjuster or insured.

(16) A licensed contractor under part I of chapter 489, or a subcontractor, may not adjust a claim on behalf of an insured without being licensed and compliant as a public adjuster under this chapter. However, if asked by the residential property owner who has suffered loss or damage covered by a property insurance policy, or the insurer of such property, a licensed contractor may discuss or explain a bid for construction or repair of covered property if the contractor is doing so for usual and customary fees applicable to the work to be performed as stated in the contract between the contractor and the insured.

The provisions of subsections *(5)-(16)* ~~(5)-(13)~~ apply only to residential property insurance policies and condominium *unit owner* ~~association~~ policies as defined in s. 718.111(11).

Section 10. Effective January 1, 2011, present subsections (7) through (11) of section 626.8651, Florida Statutes, are redesignated as subsections (8) through (12), respectively, and a new subsection (7) is added to that section, to read:

626.8651 Public adjuster apprentice license; qualifications.—

(7) A public adjuster apprentice shall complete a minimum of 8 hours of continuing education specific to the practice of a public adjuster, 2 hours of which must relate to ethics, in order to qualify for licensure as a public adjuster. The continuing education must be in subjects designed to inform the licensee regarding the current insurance laws of this state for the purpose of enabling him or her to engage in business as an insurance adjuster fairly and without injury to the public and to adjust all claims in accordance with the insurance contract and the laws of this state.

Section 11. Effective January 1, 2011, section 626.8796, Florida Statutes, is amended to read:

626.8796 Public adjuster contracts; fraud statement.—

(1) All contracts for public adjuster services must be in writing and must prominently display the following statement on the contract: "Pursuant to s. 817.234, Florida Statutes, any person who, with the intent to injure, defraud, or deceive any insurer or insured, prepares, presents, or causes to be presented a proof of loss or estimate of cost or repair of damaged property in support of a claim under an insurance policy knowing that the proof of loss or estimate of claim or repairs contains any false, incomplete, or misleading information concerning any fact or thing material to the claim commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes."

(2) A public adjuster contract must contain the following information: full name, permanent business address, and license number of the public adjuster, the full name of the public adjusting firm, and the insured's full name and street address, together with a brief description of the loss. The contract must state the percentage of compensation for the public adjuster's services, the type of claim, including an emergency claim, nonemergency claim, or supplemental claim, the signatures of the public adjuster and all named insureds, and the signature date. If all named insureds signatures are not available, the public adjuster shall submit an affidavit signed by the available named insureds attesting that they have authority to enter into the contract and to settle all claim issues on behalf of all named insureds. An unaltered copy of the executed contract must be remitted to the insurer within 30 days after execution.

Section 12. Effective June 1, 2010, section 626.70132, Florida Statutes, is created to read:

626.70132 Duty to file windstorm or hurricane claim.—A claim, supplemental claim, or reopened claim under an insurance policy that provides personal lines residential coverage, as defined in s. 627.4025, for loss or damage caused by the peril of windstorm or hurricane is barred unless notice of the claim, supplemental claim, or reopened claim was given to the insurer in accordance with the terms of the policy within 3 years after the hurricane first made landfall or the windstorm caused the covered damage. For purposes of this section, the term "supplemental claim" or "reopened claim" means any additional claim for recovery from the insurer for losses from the same hurricane or windstorm for which the insurer has previously adjusted pursuant to the initial claim. This section may not be interpreted to affect any applicable limitation on civil actions provided in s. 95.11 for claims, supplemental claims, or reopened claims timely filed under this section.

Section 13. Section 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 relating to subject matter under the jurisdiction of the department or office.

(2) Have access to and use of all files, records, and data of the department or office.

(3) Examine rate and form filings submitted to the office, hire consultants as necessary to aid in the review process, and recommend to the department or office any position deemed by the consumer advocate to be in the public interest.

(4) *By June 1, 2012, and each June 1 thereafter,* prepare an annual report card for each authorized personal residential property insurer, on a form and using a letter-grade scale developed by the commission by rule, which *objectively* grades each insurer based on the following factors:

(a) The number and nature of *valid* consumer complaints, as a market share ratio, received by the department against the insurer.

(b) The disposition of all *valid consumer* complaints received by the department.

(c) The average length of time for payment of claims by the insurer.

(d) Any other *measurable and objective* factors the commission identifies as *capable of* assisting policyholders in making informed choices about homeowner's insurance.

For purposes of this subsection, the term "valid consumer complaint" means a written communication, or oral communication that is subsequently converted to a written form, from a consumer that expresses dissatisfaction involving a personal residential insurance policy with a specific personal residential property insurer. However, a valid complaint does not arise if in the disposition thereof by the department the insurer or agent position is upheld, the policy provision is upheld, the coverage is explained, additional information is provided, the complaint is withdrawn, the complaint is referred outside the department, or if an inquiry has missing or insufficient information, is not within the jurisdiction of

the department or requests mediation of a claim that is not eligible for mediation.

(5) Prepare an annual budget for presentation to the Legislature by the department, which budget must be adequate to carry out the duties of the office of consumer advocate.

Section 14. Section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(1) The rates for all classes of insurance to which the provisions of this part are applicable shall not be excessive, inadequate, or unfairly discriminatory.

(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 except as provided in subparagraph 3.:

1. If the filing 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, then such filing shall be considered a "file and use" filing. In such case, the office shall finalize its review by issuance of *an approval* ~~a notice of intent to approve~~ or a notice of intent to disapprove within 90 days after receipt of the filing. The *approval* ~~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 *an approval* ~~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).

3. For all property insurance filings made or submitted after January 25, 2007, but before December 31, *2011* ~~2010~~, an insurer seeking a rate that is greater than the rate most recently approved by the office shall make a "file and use" filing. For purposes of this subparagraph, motor vehicle collision and comprehensive coverages are not considered to be property coverages.

(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 using 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 to calculate 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 may 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. The office shall not disapprove a rate as excessive solely due to the insurer having obtained catastrophic reinsurance to cover the insurer's estimated 250-year probable maximum loss or any lower level of loss.

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. Projected hurricane losses, if applicable, which must be estimated using a model or method found to be acceptable or reliable by the Florida Commission on Hurricane Loss Projection Methodology, and as further provided in s. 627.0628.

12. A reasonable margin for underwriting profit and contingencies.

13. The cost of medical services, if applicable.

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

(c) In the case of fire insurance rates, consideration shall be given to the availability of water supplies and the experience of the fire insurance business during a period of not less than the most recent 5-year period for which such experience is available.

(d) If conflagration or catastrophe hazards are given consideration by an insurer in its rates or rating plan, including surcharges and discounts, the insurer shall establish a reserve for that portion of the premium allocated to such hazard and shall maintain the premium in a catastrophe reserve. Any removal of such premiums from the reserve for purposes other than paying claims associated with a catastrophe or purchasing reinsurance for catastrophes shall be subject to approval of the office. Any ceding commission received by an insurer purchasing reinsurance for catastrophes shall be placed in the catastrophe reserve.

(e) After consideration of the rate factors provided in paragraphs (b), (c), and (d), a rate may be found by the office to be excessive, inadequate, or unfairly discriminatory based upon the following standards:

1. Rates shall be deemed excessive if they are likely to produce a profit from Florida business that is unreasonably high in relation to the risk involved in the class of business or if expenses are unreasonably high in relation to services rendered.

2. Rates shall be deemed excessive if, among other things, the rate structure established by a stock insurance company provides for replenishment of surpluses from premiums, when the replenishment is attributable to investment losses.

3. Rates shall be deemed inadequate if they are clearly insufficient, together with the investment income attributable to them, to sustain projected losses and expenses in the class of business to which they apply.

4. A rating plan, including discounts, credits, or surcharges, shall be deemed unfairly discriminatory if it fails to clearly and equitably reflect consideration of the policyholder's participation in a risk management program adopted pursuant to s. 627.0625.

5. A rate shall be deemed inadequate as to the premium charged to a risk or group of risks if discounts or credits are allowed which exceed a reasonable reflection of expense savings and reasonably expected loss experience from the risk or group of risks.

6. A rate shall be deemed unfairly discriminatory as to a risk or group of risks if the application of premium discounts, credits, or sur-

charges among such risks does not bear a reasonable relationship to the expected loss and expense experience among the various risks.

(f) In reviewing a rate filing, the office may require the insurer to provide at the insurer's expense all information necessary to evaluate the condition of the company and the reasonableness of the filing according to the criteria enumerated in this section.

(g) The office may at any time review a rate, rating schedule, rating manual, or rate change; the pertinent records of the insurer; and market conditions. If the office finds on a preliminary basis that a rate may be excessive, inadequate, or unfairly discriminatory, the office shall initiate proceedings to disapprove the rate and shall so notify the insurer. However, the office may not disapprove as excessive any rate for which it has given final approval or which has been deemed approved for a period of 1 year after the effective date of the filing unless the office finds that a material misrepresentation or material error was made by the insurer or was contained in the filing. Upon being so notified, the insurer or rating organization shall, within 60 days, file with the office all information which, in the belief of the insurer or organization, proves the reasonableness, adequacy, and fairness of the rate or rate change. The office shall issue a notice of intent to approve or a notice of intent to disapprove pursuant to the procedures of paragraph (a) within 90 days after receipt of the insurer's initial response. In such instances and in any administrative proceeding relating to the legality of the rate, the insurer or rating organization shall carry the burden of proof by a preponderance of the evidence to show that the rate is not excessive, inadequate, or unfairly discriminatory. After the office notifies an insurer that a rate may be excessive, inadequate, or unfairly discriminatory, unless the office withdraws the notification, the insurer shall not alter the rate except to conform with the office's notice until the earlier of 120 days after the date the notification was provided or 180 days after the date of the implementation of the rate. The office may, subject to chapter 120, disapprove without the 60-day notification any rate increase filed by an insurer within the prohibited time period or during the time that the legality of the increased rate is being contested.

(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.

(i)*1.* Except as otherwise specifically provided in this chapter, the office shall not*, directly or indirectly,* prohibit any insurer, including any residual market plan or joint underwriting association, from paying acquisition costs based on the full amount of premium, as defined in s. 627.403, applicable to any policy, or *directly or indirectly* prohibit any such insurer from including the full amount of acquisition costs in a rate filing.

2. The office shall not, directly or indirectly, impede, abridge, or otherwise compromise an insurer's right to acquire policyholders, advertise, or appoint agents, including the calculation, manner, or amount of such agent commissions, if any.

(j) With respect to residential property insurance rate filings, the rate filing must account for mitigation measures undertaken by policyholders to reduce hurricane losses.

(k)1.*a.* An insurer may make a separate filing limited solely to an adjustment of its rates for reinsurance*, the cost of financing products used as a replacement for reinsurance,* ~~or~~ financing costs incurred in the purchase of reinsurance*, and an inflation trend factor published by the office pursuant to subparagraph 4. If an insurer chooses to make a separate filing under this paragraph, it must implement the rate in such a manner that all rate increases implemented as a result of the separate filing, together with rate increases associated with any other rate filing, do* ~~or financing products to replace or finance the payment of the amount covered by the Temporary Increase in Coverage Limits (TICL) portion of the Florida Hurricane Catastrophe Fund including replacement reinsurance for the TICL reductions made pursuant to s. 215.555(17)(c); the actual cost paid due to the application of the TICL premium factor pursuant to s. 215.555(17)(f); and the actual cost paid due to the application of the cash build-up factor pursuant to s. 215.555(5)(b) if the insurer:~~

~~a. Elects to purchase financing products such as a liquidity instrument or line of credit, in which case the cost included in the filing for the liquidity instrument or line of credit may not result in a premium increase exceeding 3 percent for any individual policyholder. All costs contained in the filing may~~ not result in an overall premium increase of more than 10 percent for any individual policyholder*, excluding coverage changes and surcharges, within the same policy year*.

b. *An insurer that makes a filing relating to reinsurance or financing products must include the following* ~~Includes~~ in the filing*:* a copy of all of its reinsurance, liquidity instrument, or line of credit contracts; proof of the billing or payment for the contracts; and the calculation upon which the proposed rate change is based *demonstrating* ~~demonstrates~~ that the costs meet the criteria of this section ~~and are not loaded for expenses or profit for the insurer making the filing~~.

c. *Any filing made pursuant this paragraph may include only the* ~~Includes no other~~ changes to its rates *which are expressly authorized by this paragraph* ~~in the filing~~.

~~d. Has not implemented a rate increase within the 6 months immediately preceding the filing.~~

~~e. Does not file for a rate increase under any other paragraph within 6 months after making a filing under this paragraph.~~

d.~~f.~~ *An insurer* that purchases reinsurance or financing products from an affiliated company *may make a filing pursuant to* ~~in compliance with~~ this paragraph ~~does so~~ only if the costs for such reinsurance or financing products are charged at or below charges made for comparable coverage by nonaffiliated reinsurers or financial entities making such coverage or financing products available in this state.

e. An insurer that makes a filing as the result of a change in an inflation trend factor published by the office need support that filing only with rates and rating examples and an explanation demonstrating the insurer's eligibility to adopt the inflation trend factor.

2. An insurer may ~~only~~ make *only* one filing in any 12-month period under this paragraph.

3. An insurer that elects to implement a rate change under this paragraph must file its rate filing with the office at least 45 days before the effective date of the rate change. After an insurer submits a complete filing that meets all of the requirements of this paragraph, the office has 45 days after the date of the filing to review the rate filing and determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. Beginning January 1, 2011, the office shall publish an annual informational memorandum to establish one or more inflation trend factors that may be stated separately for personal and residential property and for building coverage, contents coverage, additional living expense coverage, and liability coverage, if applicable. These factors shall represent an estimate of cost increases or decreases based upon publicly available relevant data and economic indices that are identified in the memorandum. Such factors are exempt from the rulemaking requirements of chapter 120, and insurers are not required to adopt the factors. The office may publish factors for any line of insurance, but is required to publish a factor only for residential property insurance.

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

(3)(a) For individual risks that are not rated in accordance with the insurer's rates, rating schedules, rating manuals, and underwriting rules filed with the office and which have been submitted to the insurer for individual rating, the insurer must maintain documentation on each risk subject to individual risk rating. The documentation must identify the named insured and specify the characteristics and classification of the risk supporting the reason for the risk being individually risk rated, including any modifications to existing approved forms to be used on the

risk. The insurer must maintain these records for a period of at least 5 years after the effective date of the policy.

(b) Individual risk rates and modifications to existing approved forms are not subject to this part or part II, except for paragraph (a) and ss. 627.402, 627.403, 627.4035, 627.404, 627.405, 627.406, 627.407, 627.4085, 627.409, 627.4132, 627.4133, 627.415, 627.416, 627.417, 627.419, 627.425, 627.426, 627.4265, 627.427, and 627.428, but are subject to all other applicable provisions of this code and rules adopted thereunder.

(c) This subsection does not apply to private passenger motor vehicle insurance.

(4)(a) Contingent on specific appropriations made to implement this subsection, in order to enhance the ability of consumers to compare premiums and to increase the accuracy and usefulness of rate and product comparison information for homeowners' insurance, the office shall develop or contract with a private entity to develop a comprehensive program for providing the consumer with all available information necessary to make an informed purchase of the insurance product that best serves the needs of the individual.

(b) In developing the comprehensive program, the office shall rely as much as is practical on information that is currently available and shall consider:

1. The most efficient means for developing, hosting, and operating a separate website that consolidates all consumer information for price comparisons, filed complaints, financial strength, underwriting, and receivership information and other data useful to consumers;

2. Whether all admitted insurers should be required to submit additional information to populate the composite website and how often such submissions must be made;

3. Whether all admitted insurers should be required to provide links from the website into each individual insurer's website in order to enable consumers to access product rate information and apply for quotations;

4. Developing a plan to publicize the existence, availability, and value of the website; and

5. Any other provision that would make relevant homeowners' insurance information more readily available so that consumers can make informed product comparisons and purchasing decisions.

(c) Before establishing the program or website, the office shall conduct a cost-benefit analysis to determine the most effective approach for establishing and operating the program and website. Based on the results of the analysis, the office shall submit a proposed implementation plan for review and approval by the Financial Services Commission. The implementation plan shall include an estimated timeline for establishing the program and website; a description of the data and functionality to be provided by the site, a strategy for publicizing the website to consumers; a recommended approach for developing, hosting, and operating the website; and an estimate of all major nonrecurring and recurring costs required to establish and operate the website. Upon approval of the plan, the office may initiate the establishment of the program.

(5)~~(4)~~ The establishment of any rate, rating classification, rating plan or schedule, or variation thereof in violation of part IX of chapter 626 is also in violation of this section. ~~In order to enhance the ability of consumers to compare premiums and to increase the accuracy and usefulness of rate-comparison information provided by the office to the public, the office shall develop a proposed standard rating territory plan to be used by all authorized property and casualty insurers for residential property insurance. In adopting the proposed plan, the office may consider geographical characteristics relevant to risk, county lines, major roadways, existing rating territories used by a significant segment of the market, and other relevant factors. Such plan shall be submitted to the President of the Senate and the Speaker of the House of Representatives by January 15, 2006. The plan may not be implemented unless authorized by further act of the Legislature.~~

(6)~~(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, but except as otherwise provided in this section, may not recoup reinsurance costs that duplicate coverage provided by the Florida Hurricane Catastrophe Fund. 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.

(7)~~(6)~~(a) If an insurer requests an administrative hearing pursuant to s. 120.57 related to a rate filing under this section, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence the hearing within 30 days after the receipt of the formal request and shall enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript by the administrative law judge, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. The office shall enter a final order within 30 days after the entry of the recommended order. The provisions of this paragraph may be waived upon stipulation of all parties.

(b) Upon entry of a final order, the insurer may request a expedited appellate review pursuant to the Florida Rules of Appellate Procedure. It is the intent of the Legislature that the First District Court of Appeal grant an insurer's request for an expedited appellate review.

(8)~~(7)~~(a) The provisions of this subsection apply only with respect to rates for medical malpractice insurance and shall control to the extent of any conflict with other provisions of this section.

(b) Any portion of a judgment entered or settlement paid as a result of a statutory or common-law bad faith action and any portion of a judgment entered which awards punitive damages against an insurer may not be included in the insurer's rate base, and shall not be used to justify a rate or rate change. Any common-law bad faith action identified as such, any portion of a settlement entered as a result of a statutory or common-law action, or any portion of a settlement wherein an insurer agrees to pay specific punitive damages may not be used to justify a rate or rate change. The portion of the taxable costs and attorney's fees which is identified as being related to the bad faith and punitive damages in these judgments and settlements may not be included in the insurer's rate base and may not be *used* ~~utilized~~ to justify a rate or rate change.

(c) Upon reviewing a rate filing and determining whether the rate is excessive, inadequate, or unfairly discriminatory, the office shall consider, in accordance with generally accepted and reasonable actuarial techniques, past and present prospective loss experience, either using loss experience solely for this state or giving greater credibility to this state's loss data after applying actuarially sound methods of assigning credibility to such data.

(d) Rates shall be deemed excessive if, among other standards established by this section, the rate structure provides for replenishment of reserves or surpluses from premiums when the replenishment is attributable to investment losses.

(e) The insurer must apply a discount or surcharge based on the health care provider's loss experience or shall establish an alternative method giving due consideration to the provider's loss experience. The insurer must include in the filing a copy of the surcharge or discount schedule or a description of the alternative method used, and must provide a copy of such schedule or description, as approved by the office, to policyholders at the time of renewal and to prospective policyholders at the time of application for coverage.

(f) Each medical malpractice insurer must make a rate filing under this section, sworn to by at least two executive officers of the insurer, at least once each calendar year.

~~(8)(a)1. No later than 60 days after the effective date of medical malpractice legislation enacted during the 2003 Special Session D of the Florida Legislature, the office shall calculate a presumed factor that reflects the impact that the changes contained in such legislation will have on rates for medical malpractice insurance and shall issue a notice informing all insurers writing medical malpractice coverage of such presumed factor. In determining the presumed factor, the office shall use generally accepted actuarial techniques and standards provided in this~~

~~section in determining the expected impact on losses, expenses, and investment income of the insurer. To the extent that the operation of a provision of medical malpractice legislation enacted during the 2003 Special Session D of the Florida Legislature is stayed pending a constitutional challenge, the impact of that provision shall not be included in the calculation of a presumed factor under this subparagraph.~~

~~2. No later than 60 days after the office issues its notice of the presumed rate change factor under subparagraph 1., each insurer writing medical malpractice coverage in this state shall submit to the office a rate filing for medical malpractice insurance, which will take effect no later than January 1, 2004, and apply retroactively to policies issued or renewed on or after the effective date of medical malpractice legislation enacted during the 2003 Special Session D of the Florida Legislature. Except as authorized under paragraph (b), the filing shall reflect an overall rate reduction at least as great as the presumed factor determined under subparagraph 1. With respect to policies issued on or after the effective date of such legislation and prior to the effective date of the rate filing required by this subsection, the office shall order the insurer to make a refund of the amount that was charged in excess of the rate that is approved.~~

~~(b) Any insurer or rating organization that contends that the rate provided for in paragraph (a) is excessive, inadequate, or unfairly discriminatory shall separately state in its filing the rate it contends is appropriate and shall state with specificity the factors or data that it contends should be considered in order to produce such appropriate rate. The insurer or rating organization shall be permitted to use all of the generally accepted actuarial techniques provided in this section in making any filing pursuant to this subsection. The office shall review each such exception and approve or disapprove it prior to use. It shall be the insurer's burden to actuarially justify any deviations from the rates required to be filed under paragraph (a). The insurer making a filing under this paragraph shall include in the filing the expected impact of medical malpractice legislation enacted during the 2003 Special Session D of the Florida Legislature on losses, expenses, and rates.~~

~~(c) If any provision of medical malpractice legislation enacted during the 2003 Special Session D of the Florida Legislature is held invalid by a court of competent jurisdiction, the office shall permit an adjustment of all medical malpractice rates filed under this section to reflect the impact of such holding on such rates so as to ensure that the rates are not excessive, inadequate, or unfairly discriminatory.~~

~~(d) Rates approved on or before July 1, 2003, for medical malpractice insurance shall remain in effect until the effective date of a new rate filing approved under this subsection.~~

~~(e) The calculation and notice by the office of the presumed factor pursuant to paragraph (a) is not an order or rule that is subject to chapter 120. If the office enters into a contract with an independent consultant to assist the office in calculating the presumed factor, such contract shall not be subject to the competitive solicitation requirements of s. 287.057.~~

(9)(a) The chief executive officer or chief financial officer of a property insurer and the chief actuary of a property insurer must certify under oath and subject to the penalty of perjury, on a form approved by the commission, the following information, which must accompany a rate filing:

1. The signing officer and actuary have reviewed the rate filing;

2. Based on the signing officer's and actuary's knowledge, the rate filing does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which such statements were made, not misleading;

3. Based on the signing officer's and actuary's knowledge, the information and other factors described in paragraph (2)(b), including, but not limited to, investment income, fairly present in all material respects the basis of the rate filing for the periods presented in the filing; and

4. Based on the signing officer's and actuary's knowledge, the rate filing reflects all premium savings that are reasonably expected to result from legislative enactments and are in accordance with generally accepted and reasonable actuarial techniques.

(b) A signing officer or actuary knowingly making a false certification under this subsection commits a violation of s. 626.9541(1)(e) and is subject to the penalties under s. 626.9521.

(c) Failure to provide such certification by the officer and actuary shall result in the rate filing being disapproved without prejudice to be refiled.

(d) A certification made pursuant to paragraph (a) is not rendered false if, after making the subject rate filing, the insurer provides the office with additional or supplementary information pursuant to a formal or informal request from the office.

(e)~~(d)~~ The commission may adopt rules and forms pursuant to ss. 120.536(1) and 120.54 to administer this subsection.

(10) 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.

(11) Any interest paid pursuant to s. 627.70131(5) may not be included in the insurer's rate base and may not be used to justify a rate or rate change.

Section 15. Section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(1)~~(a)~~ It is the intent of the Legislature that insurers ~~must~~ provide *the most accurate pricing signals available* ~~savings~~ to *encourage* consumers *to* ~~who~~ install or implement windstorm damage mitigation techniques, alterations, or solutions to their properties to prevent windstorm losses. *It is also the intent of the Legislature that implementation of mitigation discounts not result in a loss of income to the insurers granting the discounts, so that the aggregate of mitigation discounts should not exceed the aggregate of the expected reduction in loss that is attributable to the mitigation efforts for which discounts are granted.* A rate filing for residential property insurance must include actuarially reasonable discounts, credits, *debits,* or other rate differentials, or appropriate reductions in deductibles, *which provide the proper pricing* for *all* properties. *The rate filing must take into account the presence or absence of* ~~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 *that* ~~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, *debits,* discounts, or other rate differentials, or appropriate reductions *or increases* in deductibles, *which recognize the presence or absence of* ~~for~~ fixtures and construction techniques *that* ~~which~~ meet the minimum requirements of the Florida Building Code must be included in the rate filing. *If an insurer demonstrates that the aggregate of its mitigation discounts results in a reduction to revenue which exceeds the reduction of the aggregate loss that is expected to result from the mitigation, that insurer may recover the lost revenue through an increase in its base rates.* ~~All insurance companies must make a rate filing which includes the credits, discounts, or other rate differentials or reductions in deductibles 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, *debits,* other rate differentials, and appropriate reductions *or increases* in deductibles that reflect the full actuarial value of such revaluation, which may be used by insurers in rate filings.

~~(b) By February 1, 2011, the Office of Insurance Regulation, in consultation with the Department of Financial Services and the Department of Community Affairs, shall develop and make publicly available a proposed method for insurers to establish discounts, credits, or other rate differentials for hurricane mitigation measures which directly correlate to the numerical rating assigned to a structure pursuant to the uniform home grading scale adopted by the Financial Services Commission pursuant to s. 215.55865, including any proposed changes to the~~

~~uniform home grading scale. By October 1, 2011, the commission shall adopt rules requiring insurers to make rate filings for residential property insurance which revise insurers' discounts, credits, or other rate differentials for hurricane mitigation measures so that such rate differentials correlate directly to the uniform home grading scale. The rules may include such changes to the uniform home grading scale as the commission determines are necessary, and may specify the minimum required discounts, credits, or other rate differentials. Such rate differentials must be consistent with generally accepted actuarial principles and wind loss mitigation studies. The rules shall allow a period of at least 2 years after the effective date of the revised mitigation discounts, credits, or other rate differentials for a property owner to obtain an inspection or otherwise qualify for the revised credit, during which time the insurer shall continue to apply the mitigation credit that was applied immediately prior to the effective date of the revised credit. Discounts, credits, and other rate differentials established for rate filings under this paragraph shall supersede, after adoption, the discounts, credits, and other rate differentials included in rate filings under paragraph (a).~~

(2)(a) A rate filing for residential property insurance made on or before the implementation of paragraph (b) may include rate factors that reflect the manner in which building code enforcement in a particular jurisdiction addresses the risk of wind damage.~~;~~ However, such a rate filing must also provide for variations from such rate factors on an individual basis based on an inspection of a particular structure by a licensed home inspector, which inspection may be at the cost of the insured.

(b) A rate filing for residential property insurance made more than 150 days after approval by the office of a building code rating factor plan submitted by a statewide rating organization shall include positive and negative rate factors that reflect the manner in which building code enforcement in a particular jurisdiction addresses risk of wind damage. The rate filing shall include variations from standard rate factors on an individual basis based on inspection of a particular structure by a licensed home inspector. If an inspection is requested by the insured, the insurer may require the insured to pay the reasonable cost of the inspection. This paragraph applies to structures constructed or renovated after the implementation of this paragraph.

(c) The premium notice shall specify the amount by which the rate has been adjusted as a result of this subsection and shall also specify the maximum possible positive and negative adjustments that are approved for use by the insurer under this subsection.

(3) A rate filing ~~made on or after July 1, 1995,~~ for mobile home owner's insurance must include appropriate discounts, credits, or other rate differentials for mobile homes constructed to comply with American Society of Civil Engineers Standard ANSI/ASCE 7-88, adopted by the United States Department of Housing and Urban Development on July 13, 1994, and that also comply with all applicable tie-down requirements provided by state law.

(4) The Legislature finds that separate consideration and notice of hurricane insurance premiums will assist consumers by providing greater assurance that hurricane premiums are lawful and by providing more complete information regarding the components of property insurance premiums. ~~Effective January 1, 1997,~~ A rate filing for residential property insurance shall be separated into two components, rates for hurricane coverage and rates for all other coverages. A premium notice reflecting a rate implemented on the basis of such a filing shall separately indicate the premium for hurricane coverage and the premium for all other coverages.

(5) In order to provide an appropriate transition period, an insurer may, in its sole discretion, implement an approved rate filing for residential property insurance over a period of years. An insurer electing to phase in its rate filing must provide an informational notice to the office setting out its schedule for implementation of the phased-in rate filing. An insurer may include in its rate the actual cost of private market reinsurance that corresponds to available coverage of the Temporary Increase in Coverage Limits, TICL, from the Florida Hurricane Catastrophe Fund. The insurer may also include the cost of reinsurance to replace the TICL reduction implemented pursuant to s. 215.555(17)(d) 9. However, this cost for reinsurance may not ~~include any expense or profit load or~~ result in a total annual base rate increase in excess of 10 percent.

(6) Any rate filing that is based in whole or part on data from a computer model may not exceed 15 percent unless there is a public hearing.

(7) An insurer may implement appropriate discounts or other rate differentials of up to 10 percent of the annual premium to mobile home owners who provide to the insurer evidence of a current inspection of tie-downs for the mobile home, certifying that the tie-downs have been properly installed and are in good condition.

(8) EVALUATION OF RESIDENTIAL PROPERTY STRUCTURAL SOUNDNESS.—

(a) It is the intent of the Legislature to provide a program whereby homeowners may obtain an evaluation of the wind resistance of their homes with respect to preventing damage from hurricanes, together with a recommendation of reasonable steps that may be taken to upgrade their homes to better withstand hurricane force winds.

(b) To the extent that funds are provided for this purpose in the General Appropriations Act, the Legislature hereby authorizes the establishment of a program to be administered by the Citizens Property Insurance Corporation for homeowners insured in the high-risk account.

(c) The program shall provide grants to homeowners, for the purpose of providing homeowner applicants with funds to conduct an evaluation of the integrity of their homes with respect to withstanding hurricane force winds, recommendations to retrofit the homes to better withstand damage from such winds, and the estimated cost to make the recommended retrofits.

(d) The Department of Community Affairs shall establish by rule standards to govern the quality of the evaluation, the quality of the recommendations for retrofitting, the eligibility of the persons conducting the evaluation, and the selection of applicants under the program. In establishing the rule, the Department of Community Affairs shall consult with the advisory committee to minimize the possibility of fraud or abuse in the evaluation and retrofitting process, and to ensure that funds spent by homeowners acting on the recommendations achieve positive results.

(e) The Citizens Property Insurance Corporation shall identify areas of this state with the greatest wind risk to residential properties and recommend annually to the Department of Community Affairs priority target areas for such evaluations and inclusion with the associated residential construction mitigation program.

(9) A property insurance rate filing that includes any adjustments related to premiums paid to the Florida Hurricane Catastrophe Fund must include a complete calculation of the insurer's catastrophe load, and the information in the filing may not be limited solely to recovery of moneys paid to the fund.

Section 16. Paragraphs (b), (c), (d), and (y) of subsection (6) of section 627.351, Florida Statutes, are amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE 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 *begins* ~~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 *terminates* ~~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 *are* ~~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 *which provides* ~~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 and commercial nonresidential policies issued by the corporation or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation *which* ~~that~~ provide coverage for basic property perils on risks *which* ~~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 *coastal* ~~high-risk~~ account for personal residential policies and commercial residential and commercial nonresidential property policies issued by the corporation or transferred to the corporation *which provides* ~~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 corporation may offer policies that provide multiperil coverage and the corporation shall continue to offer policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage in the *coastal* ~~high-risk~~ account. In issuing multiperil coverage, the corporation may use its approved policy forms and rates for the personal lines account. An applicant or insured who is eligible to purchase a multiperil policy from the corporation may purchase a multiperil policy from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides coverage only for the peril of wind from the corporation. An applicant or insured who is eligible for a corporation policy that provides coverage only for the peril of wind may elect to purchase or retain such policy and also purchase or retain coverage excluding wind from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides multiperil coverage from the corporation. It is the goal of the Legislature that there ~~would~~ be an overall average savings of 10 percent or more for a policyholder who currently has a wind-only policy with the corporation, and an ex-wind policy with a voluntary insurer or the corporation, and who ~~then~~ obtains a multiperil policy from the corporation. It is the intent of the Legislature that the offer of multiperil coverage in the *coastal* ~~high-risk~~ account be made and implemented in a manner that does not adversely affect the tax-exempt status of the corporation or creditworthiness of or security for currently outstanding financing obligations or credit facilities of the *coastal* ~~high-risk~~ account, the personal lines account, or the commercial lines account. The *coastal* ~~high-risk~~ account must also include quota share primary insurance under subparagraph (c)2. The area eligible for coverage under the *coastal* ~~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.

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. *If* ~~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 and ~~of~~ the accounts specified in sub-sub-subparagraphs a.(I) and (II) may 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. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i., *if* ~~when~~ the remaining projected deficit incurred in a particular calendar year is not greater than 6 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) and assessable insureds.

b. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i., when the remaining projected deficit incurred in a particular calendar year exceeds 6 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 *(q)* ~~(p)~~ and on assessable insureds in an amount equal to the greater of 6 percent of the deficit or 6 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. *must* ~~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 *(q)* ~~(p)~~. 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., plus the amount that is expected to be recovered through surcharges under sub-subparagraph i., ~~as to the remaining projected deficit~~ 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, at the discretion of the board of governors, be less than but may not exceed the greater of 10 percent of the amount needed to cover the 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 deficit.

e. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, policyholder 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), 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. 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 for purposes of any deficit incurred on or after January 25, 2007, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds for all property and casualty lines of business in this state, but not including workers' compensation or medical malpractice. As used in the sub-subparagraph, the term "property and casualty lines of 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 or the Federal Crop Insurance Program. For purposes of this sub-subparagraph, the term "workers' compensation" includes both workers' compensation insurance and excess workers' compensation insurance.

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.*(I)* If a deficit is incurred in any account in 2008 or thereafter, the board of governors shall levy a Citizens policyholder surcharge against all policyholders of the corporation. ~~for a 12 month period, which~~

(II) The Citizens policyholder surcharge shall be *levied* ~~collected at the time of issuance or renewal of a policy,~~ as a uniform percentage of the premium for the policy of up to 15 percent of such premium, which funds shall be used to offset the deficit.

(III) The Citizens policyholder surcharge is payable upon cancellation or termination of the policy, upon renewal of the policy, or upon issuance of a new policy by Citizens within the first 12 months after the date of the levy or the period of time necessary to fully collect the Citizens policyholder surcharge amount.

(IV) The corporation may not levy any regular assessments under paragraph (q) pursuant to sub-subparagraph a. or sub-subparagraph b. with respect to a particular year's deficit until the corporation has first levied a Citizens policyholder surcharge under this sub-subparagraph in the full amount authorized by this sub-subparagraph.

(V) Citizens policyholder surcharges under this sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes. However, failure to pay such surcharges shall be treated as failure to pay premium.

j. If the amount of any assessments or surcharges collected from corporation policyholders, assessable insurers or their policyholders, or assessable insureds exceeds the amount of the deficits, such excess amounts shall be remitted to and retained by the corporation in a reserve to be used by the corporation, as determined by the board of governors and approved by the office, to pay claims or reduce any past, present, or future plan-year deficits or to reduce outstanding debt.

(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 and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential 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 *coastal* ~~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 *coastal* ~~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 cor-

poration 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 (p)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 eight 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. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance*, and is deemed to be within the scope of the exemption provided in s. 112.313(7)(b)*. The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board of governors are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. 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 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.

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, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from 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. However, with regard to a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period, the policyholder remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer. 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, for a new application to the corporation for coverage, 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 unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from 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. However, with regard to a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period, the policyholder remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer.

(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).

c. For purposes of determining comparable coverage under sub-subparagraphs a. and b., the comparison shall be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the *coastal* ~~high-risk~~ account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant shall be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

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

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.

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.

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.

10. 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, except as otherwise provided in this subsection.

11. 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.

12. 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.

13. Must provide that, with respect to the *coastal* ~~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 *coastal* ~~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. 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 (p)4. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d.

14. 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.

15. Must provide, by July 1, 2007, a premium payment plan option to its policyholders which allows at a minimum for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. 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.

17. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

(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. 624.34, 624.404(3), 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. *Notwithstanding s. 112.3143(2), a board member may not vote on 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 corporate principal by which he or she is retained, other than an agency as defined in s. 112.312; or that he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Before the vote is taken, such member shall publicly state to the assembly the nature of the his or her interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, 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.* Senior managers and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the corporation or ~~his or her~~ designee shall notify each *existing and* newly appointed a~~nd 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 who 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 who fails to comply with subparagraph 3. or 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 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 having any employment or contractual relationship for 2 years with an insurer that has entered into a take-out bonus agreement with the corporation.

(y) 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 December 1, *2012* ~~2010~~, 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, 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.

Section 17. *The Division of Statutory Revision is directed to prepare a reviser's bill for introduction at the next regular session of the Legislature to change the term "high-risk account" to "coastal account" to conform the Florida Statutes to the amendment to s. 627.351(6)(b)2.a.(III), Florida Statutes, made by this act.*

Section 18. Subsection (2) of section 627.4133, Florida Statutes, is amended to read:

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

(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:

(a) The insurer shall give the named insured at least 45 days' advance written notice of the renewal premium.

(b) The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 100 days *before* ~~prior to~~ the effective date of the nonrenewal, cancellation, or termination. However, the insurer shall give at least 100 days' written notice, or written notice by June 1, whichever is earlier, for any nonrenewal, cancellation, or termination that would be effective between June 1 and November 30. The notice must include the reason or reasons for the nonrenewal, cancellation, or termination, except that:

1. The insurer *must* ~~shall~~ give the named insured written notice of nonrenewal, cancellation, or termination at least 180 days *before* ~~prior to~~ the effective date of the nonrenewal, cancellation, or termination for a named insured whose residential structure has been insured by that insurer or an affiliated insurer for at least a 5-year period immediately prior to the date of the written notice.

2. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor *must* ~~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 *are* ~~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 *must* ~~shall~~ be refunded to that party in full.

3. 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 *must* ~~shall~~ be given except *if* ~~where~~ there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

4. The requirement for providing written notice of nonrenewal by June 1 of any nonrenewal that would be effective between June 1 and November 30 does not apply to the following situations, but the insurer remains subject to the requirement to provide such notice at least 100 days *before* ~~prior to~~ the effective date of nonrenewal:

a. A policy that is nonrenewed due to a revision in the coverage for sinkhole losses and catastrophic ground cover collapse pursuant to s. 627.706~~, as amended by s. 30, chapter 2007-1, Laws of Florida~~.

b. A policy that is nonrenewed by Citizens Property Insurance Corporation, pursuant to s. 627.351(6), for a policy that has been assumed by an authorized insurer offering replacement ~~or renewal~~ coverage to the policyholder *is exempt from the notice requirements of paragraph (a) and this paragraph. In such cases, Citizens Property Insurance Corporation shall give the named insured written notice of nonrenewal at least 45 days before the effective date of the nonrenewal.*

After the policy has been in effect for 90 days, the policy *may* ~~shall~~ not be canceled by the insurer except *if* ~~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 *if* ~~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.

5. Notwithstanding any other provision of law, an insurer may cancel or nonrenew a property insurance policy upon a minimum of 45 days' notice if the office finds that the early cancellation of some or all of the insurer's policies is necessary to protect the best interests of the public or policyholders and the office approves the insurer's plan for early cancellation or nonrenewal of some or all of its policies. The office may base such a finding upon the financial condition of the insurer, lack of adequate reinsurance coverage for hurricane risk, or other relevant factors. The office may condition its finding on the consent of the insurer to be placed in administrative supervision pursuant to s. 624.81 or consent to the appointment of a receiver under chapter 631.

(c) If the insurer fails to provide the notice required by this subsection, other than the 10-day notice, the coverage provided to the named insured shall remain in effect until the effective date of replacement coverage or until the expiration of a period of days after the notice is given equal to the required notice period, 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 *must* ~~shall~~ be calculated based on the later rate filing.

(d)1. Upon a declaration of an emergency pursuant to s. 252.36 and the filing of an order by the Commissioner of Insurance Regulation, an insurer may not cancel or nonrenew a personal residential or commercial

residential property insurance policy covering a dwelling or residential property located in this state which has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency for a period of 90 days after the dwelling or residential property has been repaired. A structure is deemed to be repaired when substantially completed and restored to the extent that it is insurable by another authorized insurer that is writing policies in this state.

2. However, an insurer or agent may cancel or nonrenew such a policy *before* ~~prior to~~ the repair of the dwelling or residential property:

a. Upon 10 days' notice for nonpayment of premium; or

b. Upon 45 days' notice:

(I) For a material misstatement or fraud related to the claim;

(II) If the insurer determines that the insured has unreasonably caused a delay in the repair of the dwelling; or

(III) If the insurer has paid policy limits.

3. If the insurer elects to nonrenew a policy covering a property that has been damaged, the insurer shall provide at least 90 days' notice to the insured that the insurer intends to nonrenew the policy 90 days after the dwelling or residential property has been repaired. Nothing in this paragraph shall prevent the insurer from canceling or nonrenewing the policy 90 days after the repairs are complete for the same reasons the insurer would otherwise have canceled or nonrenewed the policy but for the limitations of subparagraph 1. The Financial Services Commission may adopt rules, and the Commissioner of Insurance Regulation may issue orders, necessary to implement this paragraph.

4. This paragraph ~~shall~~ also *applies* ~~apply~~ to personal residential and commercial residential policies covering property that was damaged as the result of Tropical Storm Bonnie, Hurricane Charley, Hurricane Frances, Hurricane Ivan, or Hurricane Jeanne.

(e) If any cancellation or nonrenewal of a policy subject to this subsection is to take effect during the duration of a hurricane as defined in s. 627.4025(2)(c), the effective date of such cancellation or nonrenewal is extended until the end of the duration of such hurricane. The insurer may collect premium at the prior rates or the rates then in effect for the period of time for which coverage is extended. This paragraph does not apply to any property with respect to which replacement coverage has been obtained and which is in effect for a claim occurring during the duration of the hurricane.

Section 19. Section 627.43141, Florida Statutes, is created to read:

627.43141 Notice of change in policy terms.—

(1) As used in this section, the term:

(a) "Change in policy terms" means the modification, addition, or deletion of any term, coverage, duty, or condition from the previous policy. The correction of typographical or scrivener's errors or the application of mandated legislative changes is not a change in policy terms.

(b) "Policy" means a written contract of personal lines property insurance or a written agreement for insurance, or the certificate of such insurance, by whatever name called, and includes all clauses, riders, endorsements, and papers that are a part of such policy. The term does not include a binder as defined in s. 627.420 unless the duration of the binder period exceeds 60 days.

(c) "Renewal" means the issuance and delivery by an insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same insurer or the issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term. Any policy that has a policy period or term of less than 6 months or any policy that does not have a fixed expiration date shall, for purposes of this section, be considered as written for successive policy periods or terms of 6 months.

(2) A renewal policy may contain a change in policy terms. If a renewal policy contains a change in policy terms, the insurer shall give the named insured a written notice of the change in policy terms, which must be enclosed along with the written notice of renewal premium required by ss. 627.4133 and 627.728. Such notice should be entitled "Notice of Change in Policy Terms."

(3) Although not required, proof of mailing or registered mailing through the United States Postal Service of the Notice of Change in Policy Terms to the named insured at the address shown in the policy is sufficient proof of notice.

(4) Receipt of payment of the premium for the renewal policy by the insurer is deemed to be acceptance of the new policy terms by the named insured.

(5) If an insurer fails to provide the notice required in subsection (2), the original policy terms shall remain in effect until the next renewal and the proper service of the notice or until the effective date of replacement coverage obtained by the named insured, whichever occurs first.

(6) The intent of this section is to:

(a) Allow an insurer to make a change in policy terms without nonrenewing policyholders that the insurer wishes to continue insuring.

(b) Alleviate concern and confusion to the policyholder caused by the required policy nonrenewal for the limited issue when an insurer intends to renew the insurance policy but the new policy contains a change in policy terms.

(c) Encourage policyholders to discuss their coverages with their insurance agents.

Section 20. Section 627.7011, Florida Statutes, is amended to read:

627.7011 Homeowners' policies; offer of replacement cost coverage and law and ordinance coverage.—

(1) *Before* ~~Prior to~~ issuing *or renewing* a homeowner's insurance policy ~~on or after October 1, 2005, or prior to the first renewal of a homeowner's insurance policy on or after October 1, 2005~~, the insurer must offer each of the following:

(a) A policy or endorsement providing that any loss which is repaired or replaced will be adjusted on the basis of replacement costs not exceeding policy limits as to the dwelling, rather than actual cash value, but not including costs necessary to meet applicable laws and ordinances regulating the construction, use, or repair of any property or requiring the tearing down of any property, including the costs of removing debris.

(b) A policy or endorsement providing that, subject to other policy provisions, any loss which is repaired or replaced at any location will be adjusted on the basis of replacement costs not exceeding policy limits as to the dwelling, rather than actual cash value, and also including costs necessary to meet applicable laws and ordinances regulating the construction, use, or repair of any property or requiring the tearing down of any property, including the costs of removing debris.~~;~~ However, such additional costs necessary to meet applicable laws and ordinances may be limited to either 25 percent or 50 percent of the dwelling limit, as selected by the policyholder, and such coverage shall apply only to repairs of the damaged portion of the structure unless the total damage to the structure exceeds 50 percent of the replacement cost of the structure.

An insurer is not required to make the offers required by this subsection with respect to the issuance or renewal of a homeowner's policy that contains the provisions specified in paragraph (b) for law and ordinance coverage limited to 25 percent of the dwelling limit, except that the insurer must offer the law and ordinance coverage limited to 50 percent of the dwelling limit. This subsection does not prohibit the offer of a guaranteed replacement cost policy.

(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. 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.

(3)*(a) In the event of a loss for which a dwelling is insured on the basis of replacement costs, the insurer initially must pay at least the actual cash value of the insured loss, less any applicable deductible. An insured shall subsequently enter into a contract for the performance of building and structural repairs. The insurer shall pay any remaining amounts incurred to perform such repairs as the work is performed. With the exception of incidental expenses to mitigate further damage, the insurer or any contractor or subcontractor may not require the policyholder to advance payment for such repairs or expenses. The insurer may waive the requirement for a contract as provided in this paragraph. An insured shall have a period of one 1 year after the date the insurer pays actual cash value to make a claim for replacement cost. If a total loss of a dwelling occurs, the insurer shall pay the replacement cost coverage without reservation or holdback of any depreciation in value, pursuant to s. 627.702.*

(b) In the event of a loss for which ~~a dwelling or~~ personal property is insured on the basis of replacement costs, the insurer shall pay the replacement cost without reservation or holdback of any depreciation in value, whether or not the insured replaces or repairs the ~~dwelling or~~ property.

(4) *A* ~~Any~~ homeowner's insurance policy ~~issued or renewed on or after October 1, 2005,~~ must include in bold type no smaller than 18 points the following statement:

"LAW AND ORDINANCE COVERAGE IS AN IMPORTANT COVERAGE THAT YOU MAY WISH TO PURCHASE. YOU MAY ALSO NEED TO CONSIDER THE PURCHASE OF FLOOD INSURANCE FROM THE NATIONAL FLOOD INSURANCE PROGRAM. WITHOUT THIS COVERAGE, YOU MAY HAVE UNCOVERED LOSSES. PLEASE DISCUSS THESE COVERAGES WITH YOUR INSURANCE AGENT."

The intent of this subsection is to encourage policyholders to purchase sufficient coverage to protect them in case events excluded from the standard homeowners policy, such as law and ordinance enforcement and flood, combine with covered events to produce damage or loss to the insured property. The intent is also to encourage policyholders to discuss these issues with their insurance agent.

(5) ~~Nothing in~~ This section *does not* ~~shall be construed to~~ apply to policies not considered to be "homeowners' policies," as that term is commonly understood in the insurance industry. This section specifically does not apply to mobile home policies. ~~Nothing in~~ This section *does not limit* ~~shall be construed as limiting~~ the ability of any insurer to reject or nonrenew any insured or applicant on the grounds that the structure does not meet underwriting criteria applicable to replacement cost or law and ordinance policies or for other lawful reasons.

(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.

(7) This section does not prohibit an insurer from exercising its right to repair damaged property in compliance with its policy and s. 627.702(7).

Section 21. Paragraph (a) of subsection (5) of section 627.70131, Florida Statutes, is amended to read:

627.70131 Insurer's duty to acknowledge communications regarding claims; investigation.—

(5)(a) Within 90 days after an insurer receives notice of *an initial or supplemental* ~~a~~ property insurance claim from a policyholder, the insurer shall pay or deny such claim or a portion of the claim unless the failure to pay such claim or a portion of the claim is caused by factors beyond the control of the insurer which reasonably prevent such payment. Any payment of *an initial or supplemental* ~~a~~ claim or portion of *such* ~~a~~ claim *made* ~~paid~~ 90 days after the insurer receives notice of the claim, or *made* ~~paid~~ more than 15 days after there are no longer factors beyond the control of the insurer which reasonably prevented such payment, whichever is later, shall bear interest at the rate set forth in s. 55.03. Interest begins to accrue from the date the insurer receives notice of the claim. The provisions of this subsection may not be waived, voided, or nullified by the terms of the insurance policy. If there is a right to prejudgment interest, the insured shall select whether to receive prejudgment interest or interest under this subsection. Interest is payable when the claim or portion of the claim is paid. Failure to comply with this subsection constitutes a violation of this code. However, failure to comply with this subsection shall not form the sole basis for a private cause of action.

And the title is amended as follows:

Delete lines 2-243 and insert: An act relating to insurance; amending s. 215.555, F.S.; delaying the repeal of a provision exempting medical malpractice insurance premiums from emergency assessments to the Hurricane Catastrophe Fund; delaying the date on and after which medical malpractice insurance premiums become subject to emergency assessments; amending s. 624.408, F.S.; revising the minimum surplus as to policyholders which must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4085, F.S.; defining the term "surplus action level;" expanding the list of items that must be included in an insurer's risk-based capital plan; specifying actions constituting a surplus action level event; requiring that an insurer submit to the office a risk-based capital plan upon the occurrence of such event; providing requirements for such plan; preserving the existing authority of the office; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer's gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 626.221, F.S.; exempting certain individuals from the requirement to pass an examination before being issued a license as an agent, customer representative, or adjuster; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.7452, F.S.; removing an exception relating to the examination of managing general agents; amending s. 626.854, F.S.; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term "written advertisement;" requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; providing limitations on the amount of compensation that may be received for a reopened or supplemental claim; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer

within a specified period after a windstorm or hurricane occurs; providing a definition for the terms "supplemental claim" or "reopened claim;" providing applicability; amending s. 627.0613, F.S.; requiring the office of the consumer advocate to objectively grade insurers annually based on the number of valid consumer complaints and other measurable and objective factors; defining the term "valid consumer complaint;" amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, prohibiting an insurer from paying acquisition costs based on the full amount of the premium; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; authorizing an insurer to make a rate filing limited to changes in the cost of reinsurance, the cost of financing products used as a replacement for reinsurance, or changes in an inflation trend factor published annually by the Office of Insurance Regulation; providing that an insurer may use this provision only if the increase from such filing and any other rate filing does not exceed 10 percent for any policyholder in a policy year; deleting provisions relating to a rate filing for financing products relating to the Temporary Increase in Coverage Limits; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; specifying the information that an insurer must include in a rate filing based on the change in an inflation trend factor published by the Office of Insurance Regulation; requiring that the office annually publish one or more inflation trend factors; exempting the inflation trend factors from rulemaking; providing that an insurer is not required to adopt an inflation trend factor; requiring the Office of Insurance Regulation to propose a plan for developing a website, contingent upon an appropriation, which provides consumers with information necessary to make an informed decision when purchasing homeowners' insurance; requiring that the Financial Services Commission review the proposed plan to implement the website; specifying matters that the Office of Insurance Regulation must consider in developing the website; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; deleting provisions that require the office to develop certain rate differentials for hurricane mitigation measures; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; requiring the Office of Insurance Regulation to reevaluate discounts, debits, credits, and other rate differentials by a certain date; requiring the Office of Insurance Regulation, in consultation with the Department of Financial Services and the Department of Community Affairs, to develop a method for insurers to establish debits for certain hurricane mitigation measures by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; amending s. 627.351, F.S.; renaming the "high-risk account" as the "coastal account;" revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; changing the date on which the boundaries of high-risk areas eligible for certain wind-only coverages will be reduced if certain circumstances exist; providing a directive to the Division of Statutory Revision; amending s. 627.4133, F.S.; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.41341, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring that an insurer pay the actual cash value of an insured loss, less any applicable deductible, under certain circumstances; requiring that a policyholder enter into a contract for the performance of building and structural repairs; requiring that an insurer pay certain remaining amounts; restricting insurers and contractors from requiring advance payments for certain repairs and expenses; authorizing an insured to make a claim for replacement costs within a certain period after the insurer pays actual cash value to make a claim for replacement costs; requiring an insurer to pay the replacement costs if a total loss occurs; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments;

Senator Justice moved the following amendment which failed:

Senate Amendment 3 (750030) (with title amendment) to House Amendment 1—Delete lines 4 and 5 and insert:

Between lines 1023 and 1024 insert:

Section 14. Paragraph (i) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(i) *Unfair claim settlement practices.*—

1. Attempting to settle claims on the basis of an application, when serving as a binder or intended to become a part of the policy, or any other material document which was altered without notice to, or knowledge or consent of, the insured;

2. A material misrepresentation made to an insured or any other person having an interest in the proceeds payable under such contract or policy, for the purpose and with the intent of effecting settlement of such claims, loss, or damage under such contract or policy on less favorable terms than those provided in, and contemplated by, such contract or policy; or

3. Committing or performing with such frequency as to indicate a general business practice any of the following:

a. Failing to adopt and implement standards for the proper investigation *and adjustment* of claims;

b. Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

c. Failing to acknowledge and act promptly upon communications with respect to claims;

d. Denying claims without conducting reasonable investigations based upon available information;

e. Failing to affirm or deny full or partial coverage of claims, and, as to partial coverage, the dollar amount or extent of coverage, or failing to provide a written statement that the claim is being investigated, upon the written request of the insured within 30 days after proof-of-loss statements have been completed;

f. Failing to promptly provide a reasonable explanation in writing to the insured of the basis in the insurance policy, in relation to the facts or applicable law, for denial of a claim or for the offer of a compromise settlement;

g. Failing to promptly notify the insured of any additional information necessary for the processing of a claim; or

h. Failing to clearly explain the nature of the requested information and the reasons why such information is necessary.

4. Failing to pay undisputed amounts of partial or full benefits owed under first-party property insurance policies within 90 days after an insurer receives notice of a residential property insurance claim, determines the amounts of partial or full benefits, and agrees to coverage, unless payment of the undisputed benefits is prevented by an act of God, prevented by the impossibility of performance, or due to actions by the insured or claimant that constitute fraud, lack of cooperation, or intentional misrepresentation regarding the claim for which benefits are owed.

And the title is amended as follows:

Delete line 86 and insert: claim;" providing applicability; amending s. 626.9541, F.S.; providing that it is an unfair claim settlement practice for an insurer to adopt and implement standards for the proper adjustment of claims with such frequency as to indicate a general business practice; amending s. 626.9744,

On motion by Senator Richter, 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 CS for SB 2044 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Negron
Alexander	Dockery	Oelrich
Altman	Fasano	Peaden
Aronberg	Gaetz	Rich
Baker	Gardiner	Richter
Bennett	Haridopolos	Ring
Bullard	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	

Nays—6

Garcia	Justice	Storms
Gelber	Sobel	Wilson

Vote after roll call:

Yea—Wise

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for CS for SB 382—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 369.20, F.S.; requiring the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; revising exemptions from water pollution permits; amending s. 373.1391, F.S.; requiring that the agricultural use of land present at the time of fee simple acquisition be given priority regarding the management of the land; amending s. 403.088, F.S.; requiring a permit for applying pesticide to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the Fish and Wildlife Conservation Commission relating to the uniform application of pesticides to the waters of the state; providing a temporary deviation from the acute toxicity provisions provided by rule for pesticide application under certain circumstances; amending s. 403.9336, F.S.; revising a reference to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; amending s. 493.6102, F.S.; specifying that provisions regulating security officers do not apply to certain law enforcement, correctional, and probation officers performing off-duty activities; amending s. 493.6105, F.S.; revising the application requirements and procedures for certain private investigative, private security, recovery agent, and firearm licenses; specifying application requirements for firearms instructor licenses; amending s. 493.6106, F.S.; revising citizenship requirements and documentation for certain private investigative, private security, and recovery agent licenses; prohibiting the licensure of applicants for a statewide firearm license or firearms instructor license who are prohibited from purchasing or possessing firearms; requiring that private investigative, security, and recovery agencies notify the Department of Agriculture and Consumer Services of changes to their branch office locations; amending s. 493.6107, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6108, F.S.; revising requirements for criminal history checks of license applicants whose fingerprints are not legible; requiring the investigation of the mental and emotional fitness of applicants for firearms instructor licenses; amending s. 493.6111, F.S.; requiring a security officer school or recovery agent school to obtain the department's approval for use of a fictitious name; specifying that a licensee may not conduct business under more than one fictitious name; amending s. 493.6113, F.S.; revising application renewal procedures and requirements; amending s. 493.6115, F.S.; conforming cross-references; amending s. 493.6118, F.S.; authorizing disciplinary action against statewide firearm licensees and firearms instructor licensees who are prohibited from purchasing or possessing firearms; amending s. 493.6121, F.S.; deleting provisions for the department's access to certain criminal history records provided to licensed gun dealers, manufacturers, and exporters; amending s. 493.6202, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6203, F.S.; prohibiting bodyguard services from being credited toward certain license requirements; revising the training requirements for private investigator intern license applicants; requiring the automatic suspension of an intern's license under certain circumstances; providing an exception; amending s. 493.6302, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6303, F.S.; revising the training requirements for security officer license applicants; amending s. 493.6304, F.S.; revising application requirements and procedures for security officer school licenses; amending s. 493.6401, F.S.; revising terminology for recovery agent schools and training facilities; amending s. 493.6402, F.S.; revising terminology for recovery agent schools and training facilities; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6406, F.S.; revising terminology; requiring recovery agent school and instructor licenses; providing license application requirements and procedures; amending s. 500.033, F.S.; revising the membership of the Florida Food Safety and Food Defense Advisory Council; amending ss. 501.605 and 501.607, F.S.; revising application requirements for commercial telephone seller and salesperson licenses; amending s. 501.913, F.S.; specifying the sample size required for antifreeze registration application; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 525.09, F.S.; imposing an inspection fee on certain alternative fuels containing alcohol; amending s. 526.50, F.S.; defining terms applicable to regulation of the sale of brake fluid; amending s. 526.51, F.S.; revising application requirements for brake fluid permits; amending s. 526.52, F.S.; revising requirements for printed statements on brake fluid containers; amending s. 526.53, F.S.; revising requirements and procedures for brake fluid stop-sale orders; authorizing businesses to dispose of unregistered brake fluid under certain circumstances; amending s. 527.0201, F.S.; revising requirements for liquefied petroleum gas qualifying examinations; increasing continuing education requirements for certain liquefied petroleum gas qualifiers; amending s. 527.12, F.S.; providing for the issuance of certain stop orders; amending ss. 559.805 and 559.928, F.S.; deleting social security numbers as a listing requirement on registration affidavits for independent agents of sellers of business opportunities; amending s. 570.0725, F.S.; revising provisions for public information about food banks and similar food recovery programs; authorizing the department to adopt rules; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 570.55, F.S.; revising requirements for identifying sellers or handlers of tropical or subtropical fruit or vegetables; amending s. 570.902, F.S.; conforming terminology to the repeal by the act of provisions establishing the Florida Agricultural Museum; amending s. 570.903, F.S.; revising provisions for direct-support organizations for certain agricultural programs to conform to the repeal by the act of provisions establishing the Florida Agricultural Museum; deleting provisions for a direct-support organization for the Florida State Collection of Arthropods; amending s. 573.118, F.S.; requiring the department to maintain records of marketing orders; requiring an audit at the request of an advisory council;

requiring that the advisory council receive a copy of the audit within a specified time; amending s. 581.011, F.S.; deleting terminology relating to the Florida State Collection of Arthropods; revising the term "nursery" for purposes of plant industry regulations; amending s. 581.211, F.S.; increasing the maximum fine for violations of plant industry regulations; amending s. 583.13, F.S.; deleting a prohibition on the sale of poultry without displaying the poultry grade; amending s. 585.61, F.S.; designating the animal disease diagnostic laboratory complex in Osceola County; amending s. 590.125, F.S.; revising terminology for open burning authorizations; specifying purposes of certified prescribed burning; requiring the authorization of the Division of Forestry for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring rules; authorizing the division to adopt rules regulating certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local government open burning authorization programs; providing program requirements; authorizing the division to close local government programs under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing fines for violations of any division rule; providing penalties for certain violations; providing legislative intent; amending s. 599.004, F.S.; revising standards that a winery must meet to qualify as a certified Florida Farm Winery; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; defining the term "responsible position;" amending s. 604.19, F.S.; revising requirements for late fees on agricultural products dealer applications; amending s. 604.25, F.S.; revising conditions under which the department may deny, refuse to renew, suspend, or revoke agricultural products dealer licenses; deleting a provision prohibiting certain persons from holding a responsible position with a licensee; amending s. 616.242, F.S.; authorizing the issuance of stop-operation orders for amusement rides under certain circumstances; amending s. 624.4095, F.S.; prohibiting certain gross written premiums for federal multiple-peril crop insurance from being included in certain insurer calculations; amending s. 686.201, F.S.; exempting contracts to which a seller of travel is a party from provisions governing certain contracts involving commissions; amending s. 790.06, F.S.; authorizing a concealed firearm license applicant to submit fingerprints administered by the Division of Licensing; repealing ss. 570.071 and 570.901, F.S., relating to the Florida Agricultural Exposition and the Florida Agricultural Museum; creating s. 828.126, F.S.; providing a definition for the term "sexual activities" as it involves animals; prohibiting persons from engaging in sexual activities with animals; providing penalties; providing that such prohibition does not apply to normal and ordinary animal husbandry practices, conformation judging practices, or accepted veterinary medical practices; requiring that the department and representatives of the state pest control industry prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of specified legislative committees by a certain date; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to members of the industry; providing an effective date.

—which was previously considered and amended April 29 with pending **Amendment 2 (237206)** by Senator Dean as amended and **Amendment 2C (183578)** by Senator Bennett. **Amendment 2C (183578)** was withdrawn.

The question recurred on **Amendment 2** as amended which failed.

RECONSIDERATION OF AMENDMENT

On motion by Senator Dean, the Senate reconsidered the vote by which **Amendment 2 (237206)** as amended failed. **Amendment 2** as amended was adopted. The vote was:

Yeas—21

Aronberg	Crist	Gelber
Bennett	Detert	Hill
Bullard	Dockery	Jones
Constantine	Garcia	Joyner
Justice	Ring	Sobel
Lawson	Siplin	Villalobos
Rich	Smith	Wilson

Nays—18

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Gardiner	Richter
Baker	Haridopolos	Storms
Dean	Lynn	Thrasher
Diaz de la Portilla	Negron	Wise

On motion by Senator Dean, further consideration of **CS for CS for CS for SB 382** as amended was deferred.

The Senate resumed consideration of—

CS for CS for CS for HB 631—A bill to be entitled An act relating to motor vehicles; amending ss. 261.03 and 317.0003, F.S.; redefining the term "ROV" for purposes of provisions relating to off-highway vehicles to include vehicles of increased width and weight; amending s. 316.1951, F.S.; removing a requirement that the Department of Highway Safety and Motor Vehicles adopt a uniform written notice to be used to enforce provisions that prohibit parking a motor vehicle on certain property for the purpose of displaying the motor vehicle as being for sale, hire, or rental; removing a requirement that each law enforcement agency provide its own notice for such enforcement; authorizing a local government to adopt an ordinance to enforce such provisions; authorizing a code enforcement officer from any local government agency to enforce such provisions; providing for immediate removal of a motor vehicle in violation of specified provisions; providing for assessment of a fine in addition to towing and storage fees; requiring a release form prescribed by the department to be completed before release of the motor vehicle; amending s. 318.14, F.S.; providing a lifetime limitation on the number of times a person may elect to attend a driver improvement course in lieu of appearing in court for certain traffic infractions; amending s. 318.18, F.S.; specifying a fine for a vehicle that is displayed for sale, hire, or rental in violation of such provisions; providing for disposition of fines collected; amending s. 319.225, F.S.; prohibiting the department from requiring the signature of the transferor to be notarized on certain motor vehicle title transfer forms relating to mileage of the vehicle; requiring the forms to include an affidavit declaring facts in the document to be true; amending s. 319.23, F.S.; providing that, under certain circumstances, a motor vehicle dealer is not required to apply for a certificate of title for a motor vehicle sold to a general purchaser who resides outside the state; amending s. 319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the department or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the department for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or secondary metals recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the

vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record by check or money order; amending s. 320.02, F.S.; directing the department to place the name of the owner of a motor vehicle on the list of persons who may not be issued a license plate or revalidation sticker if that person is on a list submitted to the department by a licensed dealer; amending s. 320.27, F.S.; clarifying an exemption from certain dealer prelicensing requirements; removing a requirement for evaluation of privatized applicant training methods; authorizing dealer records to be kept in either paper or electronic form; providing procedures for transfer of documents to electronic form; authorizing the department to deny, suspend, or revoke a dealer's license for certain actions relating to payments made to the department; authorizing a dealer training school to cancel the training certificate issued to a student for certain actions relating to payments made to the school; amending s. 322.0261, F.S.; revising provisions requiring persons who were convicted of or who pleaded nolo contendere to specified traffic infractions to attend a driver improvement course; providing that the department shall not require a person to attend a driver improvement course for specified traffic violations when adjudication has been withheld by the court; requiring the department to send notice of a requirement to attend a driver improvement course within a certain time period after receiving a report of an adjudication; providing an effective date.

—which was previously considered and amended this day.

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which was adopted:

Amendment 3 (518098) (with title amendment)—Delete lines 1100-1124.

And the title is amended as follows:

Delete lines 95-97 and insert: department; amending

On motion by Senator Crist, by two-thirds vote **CS for CS for CS for HB 631** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

THE PRESIDENT PRESIDING

BILLS ON THIRD READING

Consideration of **CS for SB 2262**, **SB 1258**, **CS for SB 1918** and **CS for SB 1126** was deferred.

SB 2252—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating the authority of members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring that persons addressing a legislative committee take an oath or affirmation of truthfulness; providing an exception; requiring that a member of the legislative committee administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of such card; providing for penalties for making a false statement after signing such card; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Villalobos, **SB 2252** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

HJR 7231—A joint resolution proposing the creation of Section 20 of Article III of the State Constitution to provide standards for establishing legislative and congressional district boundaries.

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

That the following creation of Section 20 of Article III of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE III

LEGISLATURE

SECTION 20. Standards for establishing legislative and congressional district boundaries.—In establishing congressional and legislative district boundaries or plans, the state shall apply federal requirements and balance and implement the standards in this constitution. The state shall take into consideration the ability of racial and language minorities to participate in the political process and elect candidates of their choice, and communities of common interest other than political parties may be respected and promoted, both without subordination to any other provision of this article. Districts and plans are valid if the balancing and implementation of standards is rationally related to the standards contained in this constitution and is consistent with federal law.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE III, SECTION 20

STANDARDS FOR LEGISLATURE TO FOLLOW IN LEGISLATIVE AND CONGRESSIONAL REDISTRICTING.—In establishing congressional and legislative district boundaries or plans, the state shall apply

federal requirements and balance and implement the standards in the State Constitution. The state shall take into consideration the ability of racial and language minorities to participate in the political process and elect candidates of their choice, and communities of common interest other than political parties may be respected and promoted, both without subordination to any other provision of Article III of the State Constitution. Districts and plans are valid if the balancing and implementation of standards is rationally related to the standards contained in the State Constitution and is consistent with federal law.

—was read the third time in full.

SENATOR HILL PRESIDING

SENATOR BULLARD PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Haridopolos, **HJR 7231** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Richter
Baker	Gardiner	Siplin
Bennett	Haridopolos	Storms
Constantine	Jones	Thrasher
Crist	Lawson	Wise
Dean	Lynn	
Detert	Negron	

Nays—14

Aronberg	Hill	Smith
Bullard	Joyner	Sobel
Dockery	Justice	Villalobos
Garcia	Rich	Wilson
Gelber	Ring	

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for CS for SB 382—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 369.20, F.S.; requiring the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; revising exemptions from water pollution permits; amending s. 373.1391, F.S.; requiring that the agricultural use of land present at the time of fee simple acquisition be given priority regarding the management of the land; amending s. 403.088, F.S.; requiring a permit for applying pesticide to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the Fish and Wildlife Conservation Commission relating to the uniform application of pesticides to the waters of the state; providing a temporary deviation from the acute toxicity provisions provided by rule for pesticide application under certain circumstances; amending s. 403.9336, F.S.; revising a reference to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; amending s. 493.6102, F.S.; specifying that provisions regulating security officers do not apply to certain law enforcement, correctional, and probation officers performing off-duty activities; amending s. 493.6105, F.S.; revising the application requirements and procedures for certain private investigative, private security, recovery agent, and firearm licenses; specifying application requirements for firearms instructor licenses; amending s. 493.6106, F.S.; revising citizenship requirements and documentation for certain private investigative, private security, and recovery agent licenses; prohibiting the licensure of applicants for a statewide firearm license or firearms instructor license who are prohibited from purchasing or possessing firearms; requiring that private investigative, security, and recovery agencies notify the Department of Agriculture and Consumer Services of changes to their branch office locations; amending s. 493.6107, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6108, F.S.; revising requirements for criminal history checks of license applicants whose fingerprints are not legible; requiring the investigation of the mental and emotional fitness of applicants for firearms instructor licenses; amending s. 493.6111, F.S.; requiring a security officer school or recovery agent school to obtain the department's approval for use of a fictitious name; specifying that a licensee may not conduct business under more than one fictitious name; amending s. 493.6113, F.S.; revising application renewal procedures and requirements; amending s. 493.6115, F.S.; conforming cross-references; amending s. 493.6118, F.S.; authorizing disciplinary action against statewide firearm licensees and firearms instructor licensees who are prohibited from purchasing or possessing firearms; amending s. 493.6121, F.S.; deleting provisions for the department's access to certain criminal history records provided to licensed gun dealers, manufacturers, and exporters; amending s. 493.6202, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6203, F.S.; prohibiting bodyguard services from being credited toward certain license requirements; revising the training requirements for private investigator intern license applicants; requiring the automatic suspension of an intern's license under certain circumstances; providing an exception; amending s. 493.6302, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6303, F.S.; revising the training requirements for security officer license applicants; amending s. 493.6304, F.S.; revising application requirements and procedures for security officer school licenses; amending s. 493.6401, F.S.; revising terminology for recovery agent schools and training facilities; amending s. 493.6402, F.S.; revising terminology for recovery agent schools and training facilities; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6406, F.S.; revising terminology; requiring recovery agent school and instructor licenses; providing license application requirements and procedures; amending s. 500.033, F.S.; revising the membership of the Florida Food Safety and Food Defense Advisory Council; amending ss. 501.605 and 501.607, F.S.; revising application requirements for commercial telephone seller and salesperson licenses; amending s. 501.913, F.S.; specifying the sample size required for antifreeze registration application; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 525.09, F.S.; imposing an inspection fee on certain alternative fuels containing alcohol; amending s. 526.50, F.S.; defining terms applicable to regulation of the sale of brake fluid; amending s. 526.51, F.S.; revising application requirements for brake fluid permits; amending s. 526.52, F.S.; revising requirements for printed statements on brake fluid containers; amending s. 526.53, F.S.; revising requirements and procedures for brake fluid stop-sale orders; authorizing businesses to dispose of unregistered brake fluid under certain circumstances; amending s. 527.0201, F.S.; revising requirements for liquefied petroleum gas qualifying examinations; increasing continuing education requirements for certain liquefied petroleum gas qualifiers; amending s. 527.12, F.S.; providing for the issuance of certain stop orders; amending ss. 559.805 and 559.928, F.S.; deleting social security numbers as a listing requirement on registration affidavits for independent agents of sellers of business opportunities; amending s. 570.0725, F.S.; revising provisions for public information about food banks and similar food recovery programs; authorizing the department to adopt rules; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 570.55, F.S.; revising requirements for identifying sellers or handlers of tropical or subtropical fruit or vegetables; amending s. 570.902, F.S.; conforming terminology to the repeal by the act of provisions establishing the Florida Agricultural Museum; amending s. 570.903, F.S.; revising provisions for direct-support organizations for certain agricultural programs to conform to the repeal by the act of provisions establishing the Florida Agricultural Museum; deleting provisions for a direct-support organization for the Florida State Collection of Arthropods; amending s. 573.118, F.S.; requiring the department to maintain records of marketing orders; requiring an audit at the request of an advisory council; requiring that the advisory council receive a copy of the audit within a specified time; amending s. 581.011, F.S.; deleting terminology relating to the Florida State Collection of Arthropods; revising the term "nursery" for purposes of plant industry regulations; amending s. 581.211, F.S.; increasing the maximum fine for violations of plant industry regulations;

amending s. 583.13, F.S.; deleting a prohibition on the sale of poultry without displaying the poultry grade; amending s. 585.61, F.S.; designating the animal disease diagnostic laboratory complex in Osceola County; amending s. 590.125, F.S.; revising terminology for open burning authorizations; specifying purposes of certified prescribed burning; requiring the authorization of the Division of Forestry for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring rules; authorizing the division to adopt rules regulating certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local government open burning authorization programs; providing program requirements; authorizing the division to close local government programs under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing fines for violations of any division rule; providing penalties for certain violations; providing legislative intent; amending s. 599.004, F.S.; revising standards that a winery must meet to qualify as a certified Florida Farm Winery; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; defining the term "responsible position;" amending s. 604.19, F.S.; revising requirements for late fees on agricultural products dealer applications; amending s. 604.25, F.S.; revising conditions under which the department may deny, refuse to renew, suspend, or revoke agricultural products dealer licenses; deleting a provision prohibiting certain persons from holding a responsible position with a licensee; amending s. 616.242, F.S.; authorizing the issuance of stop-operation orders for amusement rides under certain circumstances; amending s. 624.4095, F.S.; prohibiting certain gross written premiums for federal multiple-peril crop insurance from being included in certain insurer calculations; amending s. 686.201, F.S.; exempting contracts to which a seller of travel is a party from provisions governing certain contracts involving commissions; amending s. 790.06, F.S.; authorizing a concealed firearm license applicant to submit fingerprints administered by the Division of Licensing; repealing ss. 570.071 and 570.901, F.S., relating to the Florida Agricultural Exposition and the Florida Agricultural Museum; creating s. 828.126, F.S.; providing a definition for the term "sexual activities" as it involves animals; prohibiting persons from engaging in sexual activities with animals; providing penalties; providing that such prohibition does not apply to normal and ordinary animal husbandry practices, conformation judging practices, or accepted veterinary medical practices; requiring that the department and representatives of the state pest control industry prepare a report for the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of specified legislative committees by a certain date; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to members of the industry; providing an effective date.

—which was previously considered and amended this day.

Senator Dockery moved the following amendment which was adopted:

Amendment 3 (772752) (with directory and title amendments)—Between lines 2073 and 2074 insert:

(12)*(a)* No license issued pursuant to this section shall authorize any person to carry a concealed weapon or firearm into any place of nuisance as defined in s. 823.05; any police, sheriff, or highway patrol station; any detention facility, prison, or jail; any courthouse; any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom; any polling place; any meeting of the governing body of a county, public school district, municipality, or special district; any meeting of the Legislature or a committee thereof; any school, college, or professional athletic event not related to firearms; any school administration building; any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose; any elementary or secondary school facility; any career center; any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile; inside the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or any place where the carrying of firearms is prohibited by federal law. Any person who willfully violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Nothing shall prohibit or restrict a person licensed under this section from transporting or storing, for lawful purposes, a lawful firearm in a private vehicle wherever the vehicle is otherwise lawfully present.

(c) This subsection does not modify the terms or conditions of s. 790.251(7).

And the directory clause is amended as follows:

Delete lines 2065 and 2066 and insert:

Section 58. Paragraph (c) of subsection (5) and subsection (12) of section 790.06, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 196 and insert: administered by the Division of Licensing; providing that a provision limiting the scope of a license to carry a concealed weapon or firearm does not prohibit or restrict a person having such a license from transporting or storing a lawful firearm in a vehicle under certain circumstances; providing that a provision limiting the scope of a license to carry a concealed weapon or firearm does not modify certain exceptions to prohibited acts with respect to a person's right to keep and bear arms in motor vehicles for self-defense and other lawful purposes; repealing

Senator Justice moved the following amendment:

Amendment 4 (900920) (with title amendment)—Delete lines 2075 and 2076 and insert:

Section 60. Subsection (5) is added to section 828.12, Florida Statutes, to read:

828.12 Cruelty to animals.—

(5) Notwithstanding any other provision of law, any mandate that a business be required to conduct live racing of a domestic animal as a prerequisite for any other commercial enterprise of such business may not be enforced. Any existing such mandate is unenforceable and void as against public policy. For purposes of this subsection, the term "domestic animal" means any dog, cat, rabbit, or other domesticated animal weighing less than 150 pounds and commonly used as a pet. This provision does not modify the terms and conditions of chapter 550.

And the title is amended as follows:

Delete line 199 and insert: Museum; amending s. 828.12, F.S.; prohibiting mandates that a business be required to race a domestic animal as a prerequisite for any other commercial enterprise of such business; creating s. 828.126, F.S.;

POINT OF ORDER

Senator Jones raised a point of order that pursuant to Rule 7.1 **Amendment 4** was not germane to the bill.

RULING ON POINT OF ORDER

The President ruled the point well taken and the amendment out of order.

Senator Dean moved the following amendment which was adopted:

Amendment 5 (477128)—Between lines 2098 and 2099 insert:

(5) For purposes of this section, the term "animal" means any living or dead dumb creature.

On motion by Senator Dean, by two-thirds vote **CS for CS for CS for SB 382** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Peaden
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Negron	Wise
Dockery	Oelrich	

Nays—1

Justice

BILLS ON THIRD READING

The Senate resumed consideration of—

CS for HB 7179—A bill to be entitled An act relating to qualifying improvements to real property; creating s. 163.08, F.S.; providing legislative purposes and findings and intent; providing definitions; authorizing a local government to levy non-ad valorem assessments to fund certain improvements; authorizing a property owner to apply for funding and enter into a financing agreement with a local government to finance certain improvements; authorizing a local government to collect moneys for such purposes through non-ad valorem assessments; providing collection requirements; authorizing local governments to partner with other local governments to provide and finance certain improvements; authorizing a qualifying improvement program to be administered by a for-profit entity or not-for-profit organization under certain circumstances; authorizing a local government to incur debt payable from revenues received from the improved property; providing a financing restriction for local governments; requiring a financial agreement to be recorded in a county's public records within 5 days after execution of the agreement; specifying responsibilities for local governments before entering into financing agreements; requiring qualifying improvements to be affixed to a building or facility on the property and be performed by a properly certified or registered contractor; excluding certain projects from financing agreement coverage; limiting the amount of the non-ad valorem assessment to a percentage of the just value of the property; providing exceptions; specifying information provision requirements for property owners before entering into financing agreements; prohibiting acceleration of a mortgage under certain circumstances; providing assessment disclosure requirements; specifying unenforceability of certain agreement provisions; providing construction preserving a local government's home rule authority; providing an effective date.

—which was previously considered and amended April 29 with pending **Amendment 2 (926992)** by Senator Bennett and pending point of order by Senator Dean.

POINT OF ORDER DISPOSITION

Amendment 2 was withdrawn.

Senator Bennett moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (525388) (with title amendment)—Between lines 251 and 252 insert:

Section 2. Paragraph (d) of subsection (2) of section 366.91, Florida Statutes, is amended to read:

366.91 Renewable energy.—

(2) As used in this section, the term:

(d) "Renewable energy" means electrical energy produced from a method that uses one or more of the following fuels or energy sources: hydrogen produced from sources other than fossil fuels, biomass, solar energy, geothermal energy, wind energy, ocean energy, and hydroelectric power. The term includes the alternative energy resource, waste heat, from sulfuric acid manufacturing operations *and electrical energy produced using pipeline-quality synthetic gas produced from waste petroleum coke with carbon capture and sequestration*.

And the title is amended as follows:

Delete line 36 and insert: Home rule authority; amending s. 366.91, F.S.; revising the definition of the term "renewable energy;" providing an effective date.

Senator Fasano moved the following amendment:

Amendment 4 (833556) (with title amendment)—Between lines 251 and 252 insert:

Section 2. *Section 366.93, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line 36 and insert: home rule authority; repealing s. 366.93, F.S., relating to cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; providing an effective date.

On motion by Senator Bennett, further consideration of **CS for HB 7179** as amended with pending **Amendment 4 (833556)** was deferred.

RECESS

On motion by Senator Baker, the Senate recessed at 1:27 p.m. to reconvene at 2:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Atwater at 2:24 p.m. A quorum present—38:

Mr. President	Fasano	Peaden
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Bullard	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Negron	Wise
Dockery	Oelrich	

SPECIAL RECOGNITION

At the request of the President, staff members of the Office of Legislative Information Technology Services, the Senate appropriations committees and the Minority Office were present in the chamber. The President recognized and thanked the staff members on behalf of the Senators.

BILLS ON THIRD READING

On motion by Senator Altman, by unanimous consent—

HB 545—A bill to be entitled An act relating to residential property sales; repealing s. 689.262, F.S., relating to sales of residential property in wind-borne debris regions and required disclosures of windstorm mitigation ratings to purchasers; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Altman, **HB 545** was passed and certified to the House. The vote on passage was:

Yeas—36

Alexander	Gaetz	Peaden
Altman	Gardiner	Rich
Aronberg	Gelber	Richter
Baker	Haridopolos	Ring
Bullard	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Sobel
Dean	Justice	Storms
Detert	Lawson	Thrasher
Diaz de la Portilla	Lynn	Villalobos
Dockery	Negron	Wilson
Fasano	Oelrich	Wise

Nays—None

Vote after roll call:

Yea—Mr. President

On motion by Senator Storms, by unanimous consent—

CS for HB 907—A bill to be entitled An act relating to child support guidelines; amending s. 61.13, F.S.; requiring all child support orders after a certain date to contain certain provisions; creating s. 61.29, F.S.; providing principles for implementing the support guidelines schedule; amending s. 61.30, F.S.; creating a rebuttable presumption of census-level wages if information about earnings level is not provided; providing that the burden of proof is on the party seeking to impute income to the other party; prohibiting imputation of income for out-of-date records or unprecedented earnings; removing the first three combined monthly net income amounts on the guidelines schedule; providing for the calculation of the obligor parent's child support payment under certain circumstances; revising the deviation factors that a court may consider when adjusting a parent's share of the child support award; providing an effective date.

—as amended April 29 was taken up out of order and read the third time by title.

On motion by Senator Storms, **CS for HB 907** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Peaden
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Bullard	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Negron	Wise
Dockery	Oelrich	

Nays—None

On motion by Senator Altman, by unanimous consent—

HB 1193—A bill to be entitled An act relating to retirement; providing a short title; providing legislative findings; providing a statement of important state interest; amending s. 121.021, F.S.; revising the definition of "special risk member" to include certain members suffering a qualifying injury; amending s. 121.0515, F.S.; providing eligibility requirements for membership in the Special Risk Class for certain members suffering a qualifying injury; providing medical certification requirements; providing a definition; prohibiting the grant or creation of additional rights; providing retroactive effect; providing an effective date.

—was taken up out of order and read the third time by title.

MOTION

On motion by Senator Baker, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Baker moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (694654) (with title amendment)—Delete line 165 and insert:

Section 5. Paragraphs (b) and (c) of subsection (2) of section 112.191, Florida Statutes, are amended to read:

112.191 Firefighters; death benefits.—

(2)

(b) The sum of $50,000, as adjusted pursuant to paragraph (i), shall be paid as provided in this section if a firefighter is accidentally killed as specified in paragraph (a) and the accidental death occurs as a result of the firefighter's response to what is reasonably believed to be an emergency involving the protection of life or property *or the firefighter's participation in a training exercise*. This sum *is* ~~shall be~~ in addition to any sum provided ~~for~~ in paragraph (a). Notwithstanding any other provision of law, ~~in no case shall~~ the amount payable under this subsection *may not* be less than the actual amount stated therein.

(c) If a firefighter, while engaged in the performance of his or her firefighter duties, is unlawfully and intentionally killed, *is injured by an unlawful and intentional act of another person and dies as a result of such injury,* dies as a result of a fire which has been determined to have been caused by an act of arson, or subsequently dies as a result of injuries sustained therefrom, the sum of $150,000, as adjusted pursuant to paragraph (i), shall be paid as provided in this section. Notwithstanding any other provision of law, ~~in no case shall~~ the amount payable under this subsection *may not* be less than the actual amount stated therein.

Section 6. *The Legislature finds that this act fulfills an important state interest.*

Section 7. This act shall take effect upon becoming a law, and applies to firefighter deaths occurring on or after November 1, 2003.

And the title is amended as follows:

Delete line 12 and insert: additional rights; providing retroactive effect; amending s. 112.191, F.S.; revising provisions providing death benefits for firefighters; expanding activities entitling firefighters to death benefits to include participation in training exercises and injury by an unlawful and intentional act that results in death; providing legislative findings that the act fulfills an important state interest; providing for application; providing

On motion by Senator Altman, **HB 1193** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Hill
Alexander	Detert	Jones
Altman	Diaz de la Portilla	Joyner
Aronberg	Dockery	Justice
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Gardiner	Negron
Constantine	Gelber	Oelrich
Crist	Haridopolos	Peaden

Rich	Smith	Villalobos
Richter	Sobel	Wilson
Ring	Storms	Wise
Siplin	Thrasher	

Nays—None

On motion by Senator Gardiner, by unanimous consent—

CS for CS for HB 1411—A bill to be entitled An act relating to foreclosures; amending s. 721.07, F.S.; providing lien disclosure requirements for filed public offering statements for certain timeshare plans; amending s. 721.13, F.S.; requiring officers, directors, and agents of a timeshare owners' association to act in good faith; providing for damages; providing exceptions; amending s. 721.16, F.S.; authorizing a managing entity to bring a judicial action or a trustee procedure to foreclose certain liens under specified conditions; revising when a lien is effective; renaming part III of chapter 721, F.S., to conform to changes made by this act; amending s. 721.81, F.S.; revising and providing legislative purposes of the part; amending s. 721.82 F.S.; revising and providing definitions; amending s. 721.83, F.S., relating to consolidation of foreclosure actions; clarifying application to judicial foreclosure actions; amending s. 721.85, F.S., relating to service to notice address or on registered agent; conforming provisions to changes made by this act; creating s. 721.855, F.S.; establishing procedure for the trustee foreclosure of assessment liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing application; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; amending s. 721.86, F.S.; providing for priority of application in case of conflict; conforming terminology to changes made by this act; amending s. 721.20, F.S.; revising exemptions from certain licensing requirements; providing an effective date.

—as amended April 29 was taken up out of order and read the third time by title.

On motion by Senator Gardiner, **CS for CS for HB 1411** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Gardiner
Alexander	Dean	Gelber
Altman	Detert	Haridopolos
Aronberg	Diaz de la Portilla	Hill
Baker	Dockery	Jones
Bennett	Fasano	Joyner
Bullard	Gaetz	Justice
Constantine	Garcia	Lawson
Lynn	Richter	Storms
Negron	Ring	Thrasher
Oelrich	Siplin	Villalobos
Peaden	Smith	Wilson
Rich	Sobel	Wise

Nays—None

On motion by Senator Baker, by unanimous consent—

HB 7217—A bill to be entitled An act relating to Florida Hurricane Catastrophe Fund emergency assessments; amending s. 215.555, F.S.; delaying the repeal of an exemption from certain emergency assessments provided for medical malpractice insurance premiums and the subjection of such premiums to emergency assessments; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Baker, **HB 7217** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Aronberg	Gelber	Siplin
Baker	Haridopolos	Smith
Bennett	Jones	Sobel
Bullard	Joyner	Storms
Constantine	Justice	Thrasher
Crist	Lawson	Villalobos
Dean	Lynn	Wilson
Detert	Negron	Wise
Dockery	Oelrich	
Fasano	Peaden	

Nays—None

Vote after roll call:

Yea—Hill

On motion by Senator Storms, by unanimous consent—

SB 2318—A bill to be entitled An act relating to money laundering; amending s. 895.02, F.S.; defining the term "prosecuting authority" for purposes of the Florida RICO Act; creating s. 895.025, F.S.; providing that the act be liberally construed to achieve the remedial purposes of curtailing racketeering activities and lessening the economic power of criminal organizations engaged in patterns of racketeering activities in this state; creating s. 895.041, F.S.; providing that in addition to any criminal penalties imposed on a person due to a pattern of racketeering activities, the person shall forfeit to the state any interest in property that he or she has acquired in violation of the racketeering laws, including property of an enterprise that the person has established, operated, or controlled, and property derived from proceeds that the person obtained, directly or indirectly, from racketeering activities or unlawful debt collection practices; providing that property subject to forfeiture vests in the state when the person commits the act that violates the racketeering laws; authorizing a court to issue a temporary injunction, require the execution of a satisfactory performance bond, or to take any other action to preserve the availability and quality of the property that is subject to forfeiture; providing that the state may apply for a temporary restraining order, without notice or opportunity for a hearing by the defendant, under certain circumstances; requiring the temporary restraining order to expire within a specified period, unless extended for good cause shown; requiring the court, upon the conviction of the defendant, to enter an order forfeiting the property to the state and authorizing the prosecuting authority to seize all forfeited property upon such terms and conditions as the court deems proper; requiring the prosecuting authority to dispose of the forfeited property by sale or any other commercially feasible means, making due provision for the rights

of any innocent persons; authorizing the prosecuting authority to dispose of forfeited property by specified means; authorizing the Attorney General to adopt rules; prohibiting a party claiming an interest in property that is subject to forfeiture from intervening in a trial or appeal of a criminal case involving the forfeited property or commencing an action at law or equity against the state concerning the validity of his or her claimed interest in the forfeited property; providing an exception; requiring the state to publish notice of the forfeiture order and of its intent to dispose of the forfeited property; providing that the state may also, to the extent practicable, provide direct written notice to any person who is known to claim an interest in the forfeited property; providing that any person, other than the defendant, who asserts a claim to the forfeited property may petition the court for a hearing to adjudicate the validity of his or her claim to the forfeited property; providing that the hearing be conducted without a jury; permitting the petitioner to testify and present evidence and witnesses on his or her own behalf and cross-examine witnesses who appear at the hearing; requiring the petitioner to prove by a preponderance of the evidence that he or she has a legal claim or interest in the forfeited property superior to the state or any other person or that the petitioner is a bona fide purchaser; amending s. 896.101, F.S.; defining the term "proceeds" for purposes of the Florida Money Laundering Act; providing that a person who, without permission, notifies another person of certain specified forfeiture information is subject to a fine for each unauthorized disclosure; amending s. 560.103, F.S.; revising definitions relating to money services businesses; amending s. 560.123, F.S.; revising criminal penalties under the Florid Control of Money Laundering in Money Services Business Act; amending s. 560.125, F.S., relating to penalties for unlicensed activities; conforming provisions to changes made by the act; amending s. 560.204, F.S.; prohibiting a natural person from being licensed as a sole proprietorship or engaging in certain activities; amending s. 665.50, F.S.; defining the term "proceeds" for purposes of the Florida Control of Money Laundering in Financial Institutions Act; conforming provisions to changes made by the act; amending s. 923.03, F.S.; providing that a judgment of forfeiture may not be entered in a criminal proceeding unless the indictment or the information provides notice that the defendant has an interest in property that is subject to forfeiture in accordance with the applicable statute; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—as amended April 29 was taken up out of order and read the third time by title.

On motion by Senator Storms, **SB 2318** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Richter, by unanimous consent—

CS for CS for SB 2070—A bill to be entitled An act relating to public records; creating s. 559.5558, F.S.; providing a public-records exemption for information held by the Office of Financial Regulation pursuant to an investigation of consumer collection agencies; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Richter, **CS for CS for SB 2070** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Baker, by unanimous consent—

CS for SB 198—A bill to be entitled An act relating to retirement; amending s. 121.0515, F.S.; authorizing certain employees to purchase the retirement credit for past service at a 3 percent Special Risk Class accrual value; providing requirements for calculating the first 2 percent of a member's average monthly compensation for purposes of purchasing past service credit; providing requirements for purchasing past service credit in excess of 2 percent but not to exceed 3 percent of the member's average monthly compensation; providing requirements for calculating the contribution amount; requiring the employer to pay the costs for performing the calculation; requiring the contribution for past service credit to be paid immediately upon notification by the Division of Retirement; providing that past service credit may be purchased by the member or by the employer on behalf of the member; providing a declaration of important state interest; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Baker, **CS for SB 198** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Altman, by unanimous consent—

CS for CS for HB 927—A bill to be entitled An act relating to real property; amending s. 193.155, F.S.; revising the criteria under which a transfer of homestead property is not considered a change of ownership; providing for such provisions to apply to a leasehold interest under certain circumstances; amending s. 193.1554, F.S.; providing that a change in the ownership of nonhomestead residential property is not deemed to have occurred due to certain transactions involving a publicly

traded company; amending s. 193.1555, F.S.; providing that a change in the ownership of nonresidential property is not deemed to have occurred due to certain transactions involving a publicly traded company; amending s. 193.1556, F.S.; providing that a recorded deed or other instrument shall serve as notice of a change of ownership; requiring the Department of Revenue to provide a form by which a property owner may notify any property appraiser of a change of ownership or control; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Altman, **CS for CS for HB 927** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

On motion by Senator Crist, by unanimous consent—

CS for CS for HB 119—A bill to be entitled An act relating to sexual offenders and predators; creating s. 856.022, F.S.; prohibiting loitering or prowling by certain offenders within a specified distance of places where children were congregating; prohibiting certain actions toward a child at a public park or playground by certain offenders; prohibiting the presence of certain offenders at or on real property comprising a child care facility or prekindergarten through grade 12 school without notice and supervision; providing exceptions; providing penalties; amending s. 775.21, F.S.; revising and providing definitions; conforming terminology to changes made by the act; revising provisions relating to residence reporting requirements for sexual predators; transferring, renumbering, and amending s. 794.065, F.S.; providing definitions; substituting the term "child care facility" for the term "day care center;" providing that the section does not apply to a person living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence; including offenses in other jurisdictions that are similar to the offenses listed for purposes of providing residency restrictions for persons convicted of certain sex offenses, applicable to offenses committed on or after a specified date; providing that the section does not apply to persons who were removed from the requirement to register as a sexual offender or sexual predator under a specified provision; amending s. 943.0435, F.S.; revising provisions relating to residence reporting requirements for sexual offenders; amending s. 943.04352, F.S.; requiring that the probation services provider search in an additional specified sex offender registry for information regarding sexual predators and sexual offenders when an offender is placed on misdemeanor probation; amending s. 943.04354, F.S.; allowing the removal of the requirement to register as a sexual offender or sexual predator for a violation involving sexual performance by a child in special circumstances; amending s. 944.606, F.S.; revising address reporting requirements for sexual offenders; amending s. 944.607, F.S.; requiring additional registration information from sex offenders who are under the supervision of the Department of Corrections but who are not incarcerated; amending s. 947.005, F.S.; providing additional definitions; amending s. 947.1405, F.S.; conforming terminology to changes made by the act; providing that a releasee living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence may not be forced to relocate and does not violate his or her conditional release supervision; revising provisions relating to polygraph examinations of specified conditional releasees who have committed specified sexual offenses; providing additional restrictions for certain conditional releasees who have committed specified sexual offenses against minors or have similar convictions in another jurisdiction; amending s. 948.001, F.S.; revising and providing definitions; amending s. 948.30, F.S.; conforming terminology to changes made by the act; providing that a probationer or community controllee living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence may not be forced to relocate and does not violate his or her probation or community control; revising provisions relating to polygraph examinations of specified probationers or community controllees who have committed specified sexual offenses; providing additional restrictions for certain probationers or community controllees who committed specified sexual offenses against minors or who have similar convictions in another jurisdiction; amending s. 948.31, F.S.; deleting a requirement for diagnosis of certain sexual predators and sexual offenders on community control; revising provisions relating to treatment for such offenders and predators; amending s. 985.481, F.S.; providing additional address reporting requirements for sexual offenders adjudicated delinquent; amending s. 985.4815, F.S.; revising provisions relating to address and residence reporting requirements for sexual offenders adjudicated delinquent; providing legislative intent; providing severability; providing a directive to the Division of Statutory Revision; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Crist, **CS for CS for HB 119** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Garcia, by unanimous consent—

CS for CS for HB 351—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Catch Me, Release Me license plate, a Florida Horse Park license plate, and a Florida Biodiversity Foundation license plate; establishing annual use fees for the plates; providing for the distribution of use fees received from the sale of such plates; revising the portion of use fees collected from the sale of the Florida Salutes Veterans license plate that shall be distributed to a direct-support organization; revising the time period during which such distribution shall be made; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Garcia, **CS for CS for HB 351** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bennett	Diaz de la Portilla
Alexander	Bullard	Fasano
Altman	Crist	Gaetz
Aronberg	Dean	Garcia
Baker	Detert	Gardiner

Gelber	Negron	Sobel
Haridopolos	Oelrich	Storms
Hill	Peaden	Thrasher
Jones	Rich	Villalobos
Joyner	Richter	Wilson
Justice	Ring	Wise
Lawson	Siplin	
Lynn	Smith	

Nays—2

Constantine	Dockery

Consideration of **CS for SB 2410** was deferred.

SB 838—A bill to be entitled An act relating to the University of South Florida; creating s. 1004.387, F.S.; authorizing a doctor of pharmacy degree program at the university; providing for the program to be physically located on the new campus of the University of South Florida Polytechnic; authorizing the university to develop and implement the program within existing facilities until a pharmacy facility is constructed on the new campus of the University of South Florida Polytechnic; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Fasano, **SB 838** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

CS for HB 7157—A bill to be entitled An act relating to taxation; amending s. 55.204, F.S.; specifying the duration of liens securing the payment of unemployment compensation tax obligations; amending s. 95.091, F.S.; applying an exception to a limit on the duration of tax liens for certain tax liens relating to unemployment compensation taxes; amending s. 201.02, F.S.; excluding certain unpaid indebtedness from the taxable consideration for short sale transfers of real property; defining the term "short sale;" amending s. 202.125, F.S.; providing that an exemption from the communications services tax does not apply to transient public lodging establishments; amending s. 212.05, F.S.; specifying that the tax on sales, use, and other transactions applies to charges for nonresidential building cleaning and nonresidential building pest control; amending s. 212.0515, F.S.; revising the content of a required notice that must be posted on vending machines; amending s. 212.08, F.S.; providing criteria to determine whether the tax on sales, use, and other transactions applies to a package containing exempt food products and taxable nonfood products; providing that the tax exemption for building materials used in the rehabilitation of real property in an enterprise zone applies only while the property is being rehabilitated; providing that a single application for a tax refund of taxes paid on building materials used in the rehabilitation of real property may be used for certain contiguous parcels; revising the information that must be included in an application for a tax refund; providing that the tax exemption for building materials used in an enterprise zone may inure to a unit of government; revising the date by which an application for a tax refund for taxes paid on building materials used in an enterprise zone must be submitted to the department; amending s. 212.08, F.S.; revising provisions excluding certain sales of tangible personal property to contractors from application of an exemption for sales made to governmental entities under certain circumstances; specifying additional requirements, procedures, and limitations; requiring the Department of Revenue to adopt rules for purposes of determining eligibility for the exemption and providing for a certificate of entitlement to the exemption; specifying certification requirements; authorizing the department to adopt emergency rules; providing for time of effect of emergency rules; amending s. 213.053, F.S.; authorizing the department to provide certain confidential taxpayer information to the Florida Energy and Climate Commission; providing for retroactive operation; providing that restrictions on disclosure of confidential taxpayer information do not prohibit the department from using certain methods of electronic communication for certain purposes; providing that the department may release confidential taxpayer information relating to a corporation having an outstanding tax warrant to the Department of Business and Professional Regulation; authorizing the department to share taxpayer names and identification numbers for purposes of information-sharing agreements with financial institutions; authorizing the department to share certain information relating to the tax on sales, use, and other transactions with the Department of Environmental Protection; authorizing the department to publish a list of taxpayers against whom it has filed a warrant or judgment lien certificate; requiring the department to update the list at least monthly; authorizing the department to adopt rules; authorizing the department to provide confidential taxpayer information relating to collections from taxpayers against whom it has taken a collection action; creating s. 213.0532, F.S.; defining terms; requiring the department and certain financial institutions to enter into information-sharing agreements to enable the department to obtain the account balances and personally identifying information of taxpayers; authorizing the department and certain financial institutions to enter into information-sharing agreements to enable the department to obtain the account balances and personally identifying information of taxpayers; limiting the use of information gathered for the purpose of enforcing the collection of certain taxes and fees; requiring the department to pay a fee to the financial institutions for their services; limiting the liability for certain acts of financial institutions that enter into an information-sharing agreement; authorizing the department to adopt rules; amending s. 213.25, F.S.; authorizing the department to reduce a tax refund or credit owing to a taxpayer to the extent of liability for unemployment compensation taxes; amending s. 213.50, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to suspend or deny the renewal of a license for a hotel or restaurant having an outstanding tax warrant for a certain period of time; amending s. 213.67, F.S.; specifying additional methods by which the department may give notice of a tax delinquency for garnishment purposes; amending s. 220.192, F.S.; providing for the administration of certain portions of the renewable energy technologies tax credit program by the Florida Energy and Climate Commission; providing for retroactive application; amending s. 336.021, F.S.; revising the distribution of the ninth-cent fuel tax on motor fuel and diesel fuel; amending s. 443.036, F.S.; providing for the treatment of a single-member limited liability company as the employer for purposes of unemployment compensation law; amending s. 443.1215, F.S.; correcting a cross-reference; amending s. 443.1316, F.S.; conforming cross-references; amending s. 443.141, F.S.; providing penalties for erroneous, incomplete, or insufficient reports; authorizing a waiver of the penalty under certain circumstances; defining a term; authorizing the Agency for Workforce Innovation and the state agency providing unemployment compensation tax collection services to adopt rules; providing an expiration date for liens for contributions and reimbursements; amending s. 443.163, F.S.; increasing penalties for failing to file Employers Quarterly Reports by means other than approved electronic means; revising waiver provisions; creating s. 213.692, F.S.; authorizing the Department of Revenue to revoke all certificates of registration, permits, or licenses issued to a taxpayer against whose property the department has filed a warrant or tax lien; requiring the scheduling of an informal conference before revocation of the certificates of registration, permits, or licenses; prohibiting the Department of Revenue from issuing a certificate of registration, permit, or license to a taxpayer whose certificate of registration, permit, or license has been revoked; providing exceptions; requiring security as a condition of issuing a new certificate of registration to a person whose certificate of registration, permit, or license has been revoked after the filing of a warrant or tax lien certificate; authorizing the department to adopt rules, including emergency rules; repealing s.

195.095, F.S., relating to the authority of the Department of Revenue to develop lists of bidders that are approved to contract with property appraisers, tax collectors, or county commissions for assessment or collection services; repealing s. 213.054, F.S., relating to monitoring and reporting on the use of a tax deduction claimed by international banking institutions; providing effective dates.

—was read the third time by title.

On motion by Senator Altman, **CS for HB 7157** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2176, with 3 amendments, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for SB 2176—A bill to be entitled An act relating to insurance; creating s. 624.46223, F.S.; prohibiting an association, fund, or pool created for the purpose of forming or managing a risk management mechanism or providing self-insurance for a public entity from requiring its members to give more than 60 days' notice of the member's intention to withdraw from the association, fund, or pool; amending s. 627.062, F.S.; exempting certain categories or types of insurance and types of commercial lines risks from certain rate requirements; requiring that insurers or rating organizations establish and use rates, rating schedules, or rating manuals allowing for a reasonable rate of return on certain insurance and risks; requiring that an insurer notify the Office of Insurance Regulation of any changes to rates for certain insurance and risks; requiring that such notice contain certain information; requiring that an insurer maintain certain information; providing that such information is subject to examination by the office; requiring that the office consider certain rate factors and standards when examining such information for the purpose of determining whether the rate is excessive, inadequate, or unfairly discriminatory; requiring that a rating organization provide notice to the office of any changes to loss cost for certain types of insurance within a specified period after such change; providing requirements for such notification; requiring that a rating organization maintain certain information; providing that such information is subject to examination by the office; requiring that specified rate factors and standards be used in such examination; authorizing the office, when reviewing a rate, to require that an insurer provide certain information at the insurer's expense; amending s. 627.0651, F.S.; exempting commercial motor vehicle insurance from certain motor vehicle insurance rate requirements; prohibiting certain insurance rates from being excessive, inadequate, or unfairly discriminatory; requiring that insurers or rating organizations establish and use rates, rating schedules, or rating manuals allowing for a reasonable rate of return on certain insurance and risks; requiring that an insurer notify the office of any changes to rates for certain insurance and risks; requiring that such notice contain certain information; requiring that an insurer maintain certain information; providing that such information is subject to examination by the office; requiring that the office consider certain rate factors and standards when examining such information for the purpose of determining whether the rate is excessive, inadequate, or unfairly discriminatory; requiring that a rating organization provide notice to the office of any changes to loss cost for certain types of insurance within a specified period after such change; providing requirements for such notification; requiring that a rating organization maintain certain information; providing that such information is subject to examination by the office; requiring that specified rate factors and standards be used in such examination; authorizing the office, when reviewing a rate, to require that an insurer provide certain information at the insurer's expense; providing an effective date.

House Amendment 1 (183587) (with title amendment)—Between lines 68 and 69, insert:

Section 1. Subsection (2) of section 30.2905, Florida Statutes, is amended to read:

30.2905 Program to contract for employment of off-duty deputies for security services.—

(2)*(a)* Any such public or private employer of a deputy sheriff shall be responsible for the acts or omissions of the deputy sheriff while performing services for that employer while off duty, including workers' compensation benefits.

(b) However, for the workers' compensation purposes of this section:~~,~~

1. A deputy sheriff so employed who sustains an injury while enforcing the criminal, traffic, or penal laws of this state shall be regarded as working on duty.

2. The term "enforcing the criminal, traffic, or penal laws of this state" shall be interpreted to include, but is not limited to, providing security, patrol, or traffic direction for a private or public employer.

3. A sheriff may include the sheriff's proportionate costs of workers' compensation premiums for the off-duty deputy sheriffs providing such services.

Section 2. Section 112.18, Florida Statutes, is amended to read:

112.18 Firefighters and law enforcement or correctional officers; special provisions relative to disability.—

(1)*(a)* Any condition or impairment of health of any Florida state, municipal, county, port authority, special tax district, or fire control district firefighter or any law enforcement officer*,* ~~or~~ correctional officer*, or correctional probation officer* as defined in s. 943.10(1), (2), or (3) caused by tuberculosis, heart disease, or hypertension resulting in total or partial disability or death shall be presumed to have been accidental and to have been suffered in the line of duty unless the contrary be shown by competent evidence. However, any such firefighter or law enforcement officer *must* ~~shall~~ have successfully passed a physical examination upon entering into any such service as a firefighter or law enforcement officer, which examination failed to reveal any evidence of any such condition. Such presumption *does* ~~shall~~ not apply to benefits payable under or granted in a policy of life insurance or disability insurance, unless the insurer and insured have negotiated for such additional benefits to be included in the policy contract.

(b)1. For any workers' compensation claim filed under this section and chapter 440 occurring on or after July 1, 2010, a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), or (3) suffering from tuberculosis, heart disease, or hypertension is presumed not to have incurred such disease in the line of duty as provided in this section if the law enforcement officer, correctional officer, or correctional probation officer:

a. Departed in a material fashion from the prescribed course of treatment of his or her personal physician and the departure is demonstrated to have resulted in a significant aggravation of the tuberculosis, heart disease, or hypertension resulting in disability or increasing the disability or need for medical treatment; or

b. Was previously compensated pursuant to this section and chapter 440 for tuberculosis, heart disease, or hypertension and thereafter sustains and reports a new compensable workers' compensation claim under

this section and chapter 440, and the law enforcement officer, correctional officer, or correctional probation officer has departed in a material fashion from the prescribed course of treatment of an authorized physician for the preexisting workers' compensation claim and the departure is demonstrated to have resulted in a significant aggravation of the tuberculosis, heart disease, or hypertension resulting in disability or increasing the disability or need for medical treatment.

2. As used in this paragraph, "prescribed course of treatment" means prescribed medical courses of action and prescribed medicines for the specific disease or diseases claimed and as documented in the prescribing physician's medical records.

3. If there is a dispute as to the appropriateness of the course of treatment prescribed by a physician under sub-subparagraph 1.a. or sub-subparagraph 1.b. or whether a departure in a material fashion from the prescribed course of treatment is demonstrated to have resulted in a significant aggravation of the tuberculosis, heart disease, or hypertension resulting in disability or increasing the disability or need for medical treatment, the law enforcement officer, correctional officer, or correctional probation officer is entitled to seek an independent medical examination pursuant to s. 440.13(5).

4. A law enforcement officer, correctional officer, or correctional probation officer is not entitled to the presumption provided in this section unless a claim for benefits is made prior to or within 180 days after leaving the employment of the employing agency.

(2) This section *authorizes each governmental entity specified in subsection (1)* ~~shall be construed to authorize the above governmental entities~~ to negotiate policy contracts for life and disability insurance to include accidental death benefits or double indemnity coverage which shall include the presumption that any condition or impairment of health of any firefighter, law enforcement officer, or correctional officer caused by tuberculosis, heart disease, or hypertension resulting in total or partial disability or death was accidental and suffered in the line of duty, unless the contrary be shown by competent evidence.

And the title is amended as follows:

Remove line 2 and insert: An act relating to insurance; amending s. 30.2905, F.S.; providing for interpretation of provisions relating to workers' compensation benefits for certain services performed by off-duty deputy sheriffs; authorizing sheriffs to include certain proportionate costs of workers' compensation premiums for off-duty deputy sheriffs providing certain services; amending s. 112.18, F.S.; providing conditions under which a law enforcement officer, correctional officer, or correctional probation officer who suffers from a specified medical condition and has materially departed from the prescribed treatment for that condition shall lose a specified presumption for workers' compensation claims made on or after a specified date; defining the term "prescribed course of treatment;" providing for independent medical examinations in certain situations; providing that only claims made before or within a specified period after leaving employment are eligible for a specified presumption; creating s. 624.46223,

House Amendment 2 (535867) (with title amendment)—Between lines 199 and 200, insert:

Section 4. Subsection (3) is added to section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(3) INPATIENT FACILITY NETWORK.—This section may not be construed to prohibit a Medicare supplement insurer from granting a premium credit to insureds for using an in-network inpatient facility.

Section 5. Subsection (6) is added to section 627.6741, Florida Statutes, to read:

627.6741 Issuance, cancellation, nonrenewal, and replacement.—

(6) An insurer offering a Medicare supplement policy under this part is not prohibited from entering into an agreement through a network with inpatient facilities that agree to waive the Medicare Part A deductible in whole or in part. An insurer is not required to file a copy of the network agreement with, and such network agreements are not subject to approval of, the office.

Section 6. Subsection (8) is added to section 627.6745, Florida Statutes, to read:

627.6745 Loss ratio standards; public rate hearings.—

(8) For an insurer that enters into a network agreement pursuant to s. 627.6741(6), the waiver of the Medicare Part A deductible and premium credit shall be factored into the insurer's loss-ratio calculation and policy premium.

And the title is amended as follows:

Remove line 64 and insert: information at the insurer's expense; amending s. 626.9541, F.S.; prohibiting construction to prevent a Medicare supplement insurer from granting a premium credit to insureds under certain circumstances; amending s. 627.6741, F.S.; specifying absence of a prohibition against certain Medicare supplement policy insurers from entering into agreements through a network with certain facilities; specifying absence of a requirement to file certain contracts with the Office of Insurance Regulation; amending s. 627.6745, F.S.; requiring certain insurers to factor certain deductibles and premium credits into loss-ratio calculation and policy premiums; providing an

House Amendment 3 (842183) (with title amendment)—Remove line 200 and insert:

Section 4. Effective upon this act becoming a law, paragraph (b) of subsection (1) of section 628.4615, Florida Statutes, is amended to read:

628.4615 Specialty insurers; acquisition of controlling stock, ownership interest, assets, or control; merger or consolidation.—

(1) For the purposes of this section, the term "specialty insurer" means any person holding a license or certificate of authority as:

(b) A home warranty association authorized to issue "home warranties" as those terms are defined in s. 634.301~~(3) and (4)~~;

Section 5. Effective upon this act becoming a law, subsection (8) of section 634.011, Florida Statutes, is amended to read:

634.011 Definitions.—As used in this part, the term:

(8) "Motor vehicle service agreement" or "service agreement" means any contract or agreement indemnifying the service agreement holder for the motor vehicle listed on the service agreement and arising out of the ownership, operation, and use of the motor vehicle against loss caused by failure of any mechanical or other component part, or any mechanical or other component part that does not function as it was originally intended; however, nothing in this part shall prohibit or affect the giving, free of charge, of the usual performance guarantees by manufacturers or dealers in connection with the sale of motor vehicles. Transactions exempt under s. 624.125 are expressly excluded from this definition and are exempt from the provisions of this part. *Service agreements that are sold to persons other than consumers and that cover motor vehicles used for commercial purposes are excluded from this definition and are exempt from regulation under the Florida Insurance Code.* The term "motor vehicle service agreement" includes any contract or agreement that provides:

(a) For the coverage or protection defined in this subsection and which is issued or provided in conjunction with an additive product applied to the motor vehicle that is the subject of such contract or agreement;

(b) For payment of vehicle protection expenses.

1.a. "Vehicle protection expenses" means a preestablished flat amount payable for the loss of or damage to a vehicle or expenses incurred by the service agreement holder for loss or damage to a covered vehicle, including, but not limited to, applicable deductibles under a motor vehicle insurance policy; temporary vehicle rental expenses; expenses for a replacement vehicle that is at least the same year, make, and model of the stolen motor vehicle; sales taxes or registration fees for a replacement vehicle that is at least the same year, make, and model of

the stolen vehicle; or other incidental expenses specified in the agreement.

b. "Vehicle protection product" means a product or system installed or applied to a motor vehicle or designed to prevent the theft of the motor vehicle or assist in the recovery of the stolen motor vehicle.

2. Vehicle protection expenses shall be payable in the event of loss or damage to the vehicle as a result of the failure of the vehicle protection product to prevent the theft of the motor vehicle or to assist in the recovery of the stolen motor vehicle. Vehicle protection expenses covered under the agreement shall be clearly stated in the service agreement form, unless the agreement provides for the payment of a preestablished flat amount, in which case the service agreement form shall clearly identify such amount.

3. Motor vehicle service agreements providing for the payment of vehicle protection expenses shall either:

a. Reimburse a service agreement holder for the following expenses, at a minimum: deductibles applicable to comprehensive coverage under the service agreement holder's motor vehicle insurance policy; temporary vehicle rental expenses; sales taxes and registration fees on a replacement vehicle that is at least the same year, make, and model of the stolen motor vehicle; and the difference between the benefits paid to the service agreement holder for the stolen vehicle under the service agreement holder's comprehensive coverage and the actual cost of a replacement vehicle that is at least the same year, make, and model of the stolen motor vehicle; or

b. Pay a preestablished flat amount to the service agreement holder.

Payments shall not duplicate any benefits or expenses paid to the service agreement holder by the insurer providing comprehensive coverage under a motor vehicle insurance policy covering the stolen motor vehicle; however, the payment of vehicle protection expenses at a preestablished flat amount of $5,000 or less does not duplicate any benefits or expenses payable under any comprehensive motor vehicle insurance policy; or

(c)1. For the payment for paintless dent-removal services provided by a company whose primary business is providing such services.

2. "Paintless dent-removal" means the process of removing dents, dings, and creases, including hail damage, from a vehicle without affecting the existing paint finish, but does not include services that involve the replacement of vehicle body panels or sanding, bonding, or painting.

Section 6. Effective upon this act becoming a law, subsection (7) is added to section 634.031, Florida Statutes, to read:

634.031 License required.—

(7) Any person who violates this section commits, in addition to any other violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 7. Effective upon this act becoming a law, paragraph (b) of subsection (8) and paragraph (b) of subsection (11) of section 634.041, Florida Statutes, are amended to read:

634.041 Qualifications for license.—To qualify for and hold a license to issue service agreements in this state, a service agreement company must be in compliance with this part, with applicable rules of the commission, with related sections of the Florida Insurance Code, and with its charter powers and must comply with the following:

(8)

(b) A service agreement company does not have to establish and maintain an unearned premium reserve if it purchases and maintains contractual liability insurance in accordance with the following:

1. The insurance covers 100 percent of its claim exposure and is obtained from an insurer approved by the office which holds a certificate of authority to do business within this state.

2. If the service agreement company does not meet its contractual obligations, the contractual liability insurance policy binds its issuer to pay or cause to be paid to the service agreement holder all legitimate claims and cancellation refunds for all service agreements issued by the service agreement company while the policy was in effect. This requirement also applies to those service agreements for which no premium has been remitted to the insurer.

3. If the issuer of the contractual liability policy is fulfilling the service agreements covered by the contractual liability policy and the service agreement holder cancels the service agreement, the issuer must make a full refund of unearned premium to the consumer, subject to the cancellation fee provisions of s. 634.121*(3)*~~(5)~~. The sales representative and agent must refund to the contractual liability policy issuer their unearned pro rata commission.

4. The policy may not be canceled, terminated, or nonrenewed by the insurer or the service agreement company unless a 90-day written notice thereof has been given to the office by the insurer before the date of the cancellation, termination, or nonrenewal.

5. The service agreement company must provide the office with the claims statistics.

All funds or premiums remitted to an insurer by a motor vehicle service agreement company under this part shall remain in the care, custody, and control of the insurer and shall be counted as an asset of the insurer; provided, however, this requirement does not apply when the insurer and the motor vehicle service agreement company are affiliated companies and members of an insurance holding company system. If the motor vehicle service agreement company chooses to comply with this paragraph but also maintains a reserve to pay claims, such reserve shall only be considered an asset of the covered motor vehicle service agreement company and may not be simultaneously counted as an asset of any other entity.

(11)

(b) Notwithstanding any other requirement of this part, a service agreement company maintaining an unearned premium reserve on all service agreements in accordance with paragraph (8)(a) may offer service agreements providing vehicle protection expenses if it maintains contractual liability insurance only on all service agreements providing vehicle protection expenses and continues to maintain the 50-percent reserve for all service agreements not providing vehicle protection expenses. A service agreement company maintaining contractual liability insurance for all service agreements providing vehicle protection expenses and the 50-percent reserve for all other service agreements must, in the service agreement register as required under s. 634.136*(2)*~~(4)~~, distinguish between insured service agreements providing vehicle protection expenses and service agreements not providing vehicle protection expenses.

Section 8. Effective upon this act becoming a law, paragraph (d) is added to subsection (3) of section 634.095, Florida Statutes, and subsection (7) is added to that section, to read:

634.095 Prohibited acts.—Any service agreement company or salesperson that engages in one or more of the following acts is, in addition to any applicable denial, suspension, revocation, or refusal to renew or continue any appointment or license, guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083:

(3) Issuing or causing to be issued any advertisement which:

(d) Is false, deceptive, or misleading with respect to:

1. The service agreement company's affiliation with a motor vehicle manufacturer;

2. The service agreement company's possession of information regarding a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;

3. The expiration of a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty; or

4. Any requirement that the motor vehicle owner register for a new motor vehicle service agreement with the company in order to maintain coverage under the current motor vehicle service agreement or manufacturer's original equipment warranty.

(7) Remitting premiums received on motor vehicle service agreements sold to any person other than the licensed service agreement company that is obligated to perform under such agreement, if the agreement between such company and the salesperson requires that premiums be submitted directly to the service agreement company.

Section 9. Effective upon this act becoming a law, section 634.121, Florida Statutes, is amended to read:

634.121 ~~Filing of~~ Forms, required procedures, provisions.—

~~(1) A service agreement form or related form may not be issued or used in this state unless it has been filed with and approved by the office. Upon application for a license, the office shall require the applicant to submit for approval each brochure, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution. The office shall disapprove any document which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material facts.~~

~~(a) After an application has been approved, a licensee is not required to submit brochures or advertisement to the office for approval; however, a licensee may not have published, and a person may not publish, any brochure or advertisement which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material fact.~~

~~(b) For purposes of this section, brochures and advertising includes, but is not limited to, any report, circular, public announcement, certificate, or other printed matter or advertising material which is designed or used to solicit or induce any persons to enter into any motor vehicle service agreement.~~

~~(c) The office shall disapprove any service agreement form providing vehicle protection expenses which does not clearly indicate either the method for calculating the benefit to be paid or provided to the service agreement holder or the preestablished flat amount payable pursuant to the terms of the service agreement. All service agreement forms providing vehicle protection expenses shall clearly indicate the term of the service agreement, whether new or used cars are eligible for the vehicle protection product, and that the service agreement holder may not make any claim against the Florida Insurance Guarantee Association for vehicle protection expenses. The service agreement shall be provided to a service agreement holder on a form that provides only vehicle protection expenses. A service agreement form providing vehicle protection expenses must state that the service agreement holder must have in force at the time of loss comprehensive motor vehicle insurance coverage as a condition precedent to requesting payment of vehicle protection expenses.~~

~~(2) Every filing required under this section must be made not less than 30 days in advance of issuance or use. At the expiration of 30 days from the date of filing, a form so filed becomes approved unless prior thereto it has been affirmatively disapproved by written notice of the office. The office may extend by not more than an additional 15 days the period within which it may affirmatively approve or disapprove any form by giving notice of extension before the expiration of the initial 30-day period. At the expiration of any period as so extended and in the absence of prior affirmative disapproval, the form becomes approved.~~

(1)~~(3)~~ Before the sale of any service agreement, written notice must be given to the prospective purchaser by the service agreement company or its agent or salesperson~~, on an office approved form,~~ that purchase of the service agreement is not required in order to purchase or obtain financing for a motor vehicle.

(2)~~(4)~~ All motor vehicle service agreements are assignable in a consumer transaction and must contain a statement in conspicuous, boldfaced type, informing the purchaser of the service agreement of her or his right to assign it to a subsequent retail purchaser of the motor vehicle covered by the service agreement and all conditions on such right of transfer. The assignment must occur within a period of time specified in the agreement, which period may not expire earlier than 15 days after the date of the sale or transfer of the motor vehicle. The service agreement company may charge an assignment fee not to exceed $40.

(3)~~(5)~~(a) Each service agreement must contain a cancellation provision. Any service agreement is cancelable by the purchaser within 60 days after purchase. The refund must be 100 percent of the gross premium paid, less any claims paid on the agreement. A reasonable administrative fee may be charged not to exceed 5 percent of the gross premium paid by the agreement holder.

(b) After the service agreement has been in effect for 60 days, it may not be canceled by the insurer or service agreement company unless:

1. There has been a material misrepresentation or fraud at the time of sale of the service agreement;

2. The agreement holder has failed to maintain the motor vehicle as prescribed by the manufacturer;

3. The odometer has been tampered with or disabled and the agreement holder has failed to repair the odometer; or

4. For nonpayment of premium by the agreement holder, in which case the service agreement company shall provide the agreement holder notice of cancellation by certified mail.

If the service agreement is canceled by the insurer or service agreement company, the return of premium must not be less than 100 percent of the paid unearned pro rata premium*, less any claims paid on the agreement*. If, after 60 days, the service agreement is canceled by the service agreement holder, the insurer or service agreement company shall return directly to the agreement holder not less than 90 percent of the unearned pro rata premium*, less any claims paid on the agreement*. The service agreement company remains responsible for full refunds to the consumer on canceled service agreements. However, the salesperson and agent are responsible for the refund of the unearned pro rata commission. A service agreement company may effectuate refunds through the issuing salesperson or agent.

(4)~~(6)~~ If the service agreement is canceled, pursuant to an order of liquidation, the salesperson or agent is responsible for refunding, and must refund, to the receiver the unearned pro rata commission.

(5)~~(7)~~ If a service agreement company violates any lawful order of the office or fails to meet its contractual obligations under this part, upon notice from the office, the sales representative or agent must refund to the service agreement holder the unearned pro rata commission, unless the sales representative or agent has made other arrangements, satisfactory to the office, with the service agreement holder.

(6)~~(8)~~ Each service agreement, which includes a copy of the application form, must be mailed or delivered to the agreement holder within 45 days after the date of purchase.

(7)~~(9)~~ Each service agreement form must contain in conspicuous, boldfaced type any statement or clause that places restrictions or limitations on the benefits offered or disclose such restrictions or limitations in regular type in a section of the service agreement containing a conspicuous, boldfaced type heading.

(8)~~(10)~~ If an insurer or service agreement company intends to use or require the use of remanufactured or used replacement parts, each service agreement form as well as all service agreement brochures must contain in conspicuous, boldfaced type a statement to that effect.

(9)~~(11)~~ Each service agreement form as well as all service agreement company sales brochures must clearly identify the name, address, and Florida license number of the licensed insurer or service agreement company.

(10)~~(12)~~ If a service agreement contains a rental car provision, it must disclose the terms and conditions of this benefit in conspicuous, boldfaced type or disclose such restrictions or limitations in regular type in a section of the service agreement containing a conspicuous, boldfaced type heading.

(11) By July 1, 2011, each service agreement sold in this state must be accompanied by a written disclosure to the consumer that the rate charged for the service agreement is not subject to regulation by the office. A service agreement company may comply with this requirement by including such disclosure in its service agreement form or in a separate written notice provided to the consumer at the time of sale.

Section 10. Effective upon this act becoming a law, section 634.1213, Florida Statutes, is amended to read:

634.1213 *Noncompliant forms* ~~Grounds for disapproval~~.—The office may *order a service agreement company to stop using* ~~disapprove~~ any service agreement form *that* ~~or service agreement company sales brochures filed under s. 634.121, or withdraw any previous approval thereof, if the form or brochure~~:

(1) Is in any respect in violation of or does not comply with this part, any applicable provision of the Florida Insurance Code, or any applicable rule of the *office* ~~commission~~.

(2) Contains or incorporates by reference when such incorporation is otherwise permissible, any inconsistent, ambiguous, or misleading clauses, or exceptions and conditions which deceptively affect the risk purported to be assumed in the general coverage of the service agreement.

(3) Has any title, heading, or other indication of its provisions which is misleading.

(4) Is printed or otherwise reproduced in such manner as to render any material provision of the form substantially illegible.

(5) Contains any provision which is unfair or inequitable or which encourages misrepresentation.

(6) Contains any provision which makes it difficult to determine the actual insurer or service agreement company issuing the form.

(7) Contains any provision for reducing claim payments due to depreciation of parts, except for marine engines.

Section 11. Effective upon this act becoming a law, subsection (1) of section 634.137, Florida Statutes, is amended to read:

634.137 Financial and statistical reporting requirements.—

(1) *By March 1 of each year,* each service agreement company shall submit to the office *annual* financial reports on forms prescribed by the commission and furnished by the office ~~as follows:~~

~~(a) Reports for a period ending December 31 are due by March 1.~~

~~(b) Reports for a period ending March 31 are due by May 15.~~

~~(c) Reports for a period ending June 30 are due by August 15.~~

~~(d) Reports for a period ending September 30 are due by November 15~~.

Section 12. Effective upon this act becoming a law, section 634.141, Florida Statutes, is amended to read:

634.141 Examination of companies.—

(1) Motor vehicle service agreement companies licensed under this part *may* ~~shall~~ be subject to periodic examination by the office in the same manner and subject to the same terms and conditions as applies to insurers under part II of chapter 624. The commission may by rule establish provisions whereby a company may be exempted from examination.

(2) The office shall determine whether to conduct an examination of a company by considering:

(a) The amount of time that the company has been continuously licensed and operating under the same management and control.

(b) The company's history of compliance with applicable law.

(c) The number of consumer complaints against the company.

(d) The financial condition of the company, demonstrated by the financial reports submitted pursuant to s. 634.137.

Section 13. Effective upon this act becoming a law, paragraph (b) of subsection (1) of section 634.1815, Florida Statutes, is amended to read:

634.1815 Rebating; when allowed.—

(1) No salesperson shall rebate any portion of his or her commission except as follows:

(b) The rebate shall be in accordance with a rebating schedule filed *with and approved* by the ~~salesperson with the~~ service agreement company issuing the service agreement to which the rebate applies. The service agreement company shall maintain a copy of all rebating schedules for a period of 3 years.

Section 14. Effective upon this act becoming a law, subsection (13) of section 634.282, Florida Statutes, is amended, and subsection (17) is added to that section, to read:

634.282 Unfair methods of competition and unfair or deceptive acts or practices defined.—The following methods, acts, or practices are defined as unfair methods of competition and unfair or deceptive acts or practices:

(13) ILLEGAL DEALINGS IN PREMIUMS; EXCESS OR REDUCED CHARGES FOR MOTOR VEHICLE SERVICE AGREEMENTS.—

(a) Knowingly collecting any sum as a premium or charge for a motor vehicle service agreement, which is not then provided, or is not in due course to be provided, subject to acceptance of the risk by a service agreement company or an insurer, by a motor vehicle service agreement issued by a service agreement company or an insurer as permitted by this part.

(b) Knowingly collecting as a premium or charge for a motor vehicle service agreement any sum in excess of or less than the premium or charge applicable to such motor vehicle service agreement, ~~in accordance with the applicable classifications and rates as filed with the office, and~~ as specified in the motor vehicle service agreement. *However, there is no violation of this subsection if excess premiums or charges are refunded to the service agreement holder within 45 days after receipt of the agreement by the service agreement company or if the licensed sales representative's commission is reduced by the amount of any premium undercharge.*

(17) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO SALE.—Failing to provide a consumer with a complete sample copy of the terms and conditions of the service agreement prior to the time of sale upon a request for the same by the consumer. A service agreement company may comply with this subsection by providing the consumer with a sample copy of the terms and conditions of the service agreement or by directing the consumer to a website that displays a complete sample of the terms and conditions of the service agreement.

No provision of this section shall be deemed to prohibit a service agreement company or a licensed insurer from giving to service agreement holders, prospective service agreement holders, and others for the purpose of advertising, any article of merchandise having a value of not more than $25.

Section 15. Effective upon this act becoming a law, section 634.301, Florida Statutes, as amended by section 1 of chapter 2007-235, Laws of Florida, is amended to read:

634.301 Definitions.—As used in this part, the term:

(1) "Gross written premiums" means the total amount of premiums, paid for the entire period of the home warranty, inclusive of commissions, for which the association is obligated under home warranties issued.

~~(2) "Home improvement" means major remodeling, enclosure of a garage, addition of a room, addition of a pool, and other like items that add value to the residential property. The term does not include normal maintenance for items such as painting, reroofing, and other like items subject to normal wear and tear.~~

(2)~~(3)~~ "Home warranty" or "warranty" means any contract or agreement~~:~~

~~(a) Offered in connection with the sale of residential property;~~

~~(b) Offered in connection with a loan of $5,000 or more which is secured by residential property that is the subject of the warranty, but not in connection with the sale of such property;~~

~~(c) Offered in connection with a home improvement of $7,500 or more for residential property that is the subject of the warranty, but not in connection with the sale of such property; or~~

~~(d) Offered in connection with a home inspection service as defined under s. 468.8311(4) or a mold assessment as defined under s. 468.8411(3);~~

whereby a person undertakes to indemnify the warranty holder against the cost of repair or replacement, or actually furnishes repair or replacement, of any structural component or appliance of a home, necessitated by wear and tear or an inherent defect of any such structural component or appliance or necessitated by the failure of an inspection to detect the likelihood of any such loss. However, this part does not prohibit the giving of usual performance guarantees by either the builder of a home or the manufacturer or seller of an appliance, as long as no identifiable charge is made for such guarantee. This part does not permit the provision of indemnification against consequential damages arising from the failure of any structural component or appliance of a home, which practice constitutes the transaction of insurance subject to all requirements of the insurance code. This part does not apply to service contracts entered into between consumers and nonprofit organizations or cooperatives the members of which consist of condominium associations and condominium owners and which perform repairs and maintenance for appliances or maintenance of the residential property. This part does not apply to a contract or agreement offered ~~in connection with a sale of residential property~~ by a warranty association in compliance with part III, provided such contract or agreement only relates to the systems and appliances of the covered residential property and does not cover any structural component of the residential property.

(3)~~(4)~~ "Home warranty association" means any corporation or any other organization, other than an authorized insurer, issuing home warranties.

(4)~~(5)~~ "Impaired" means having liabilities in excess of assets.

(5)~~(6)~~ "Insolvent" means the inability of a corporation to pay its debts as they become due in the usual course of its business.

(6)~~(7)~~ "Insurance code" means the Florida Insurance Code.

(7)~~(8)~~ "Insurer" means any property or casualty insurer duly authorized to transact such business in this state.

(8)~~(9)~~ "Listing period" means the period of time residential property is listed for sale with a licensed real estate broker, beginning on the date the residence is first listed for sale and ending on either the date the sale of the residence is closed, the date the residence is taken off the market, or the date the listing contract with the real estate broker expires.

(9)~~(10)~~ "Net assets" means the amount by which the total statutory assets of an association exceed the total liabilities of the association.

(10)~~(11)~~ "Person" includes an individual, company, corporation, association, insurer, agent, and every other legal entity.

(11)~~(12)~~ "Premium" means the total consideration received, or to be received, by an insurer or home warranty association for or related to the issuance and delivery of any binder or warranty, including any charges designated as assessments or fees for policies, surveys, inspections, or service or any other charges.

(12)~~(13)~~ "Sales representative" means any person with whom an insurer or home inspection or warranty association has a contract and who is utilized by such insurer or association for the purpose of selling or issuing home warranties. The term includes all employees of an insurer or association engaged directly in the sale or issuance of home warranties.

(13)~~(14)~~ "Structural component" means the roof, plumbing system, electrical system, foundation, basement, walls, ceilings, or floors of a home.

Section 16. Effective upon this act becoming a law, subsection (4) is added to section 634.303, Florida Statutes, to read:

634.303 License required.—

(4) Any person who provides, offers to provide, or holds oneself out as providing or offering to provide home warranties in this state or from this state without holding a subsisting license commits, in addition to any other violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 17. Effective upon this act becoming a law, paragraph (f) of subsection (2) of section 634.308, Florida Statutes, is amended to read:

634.308 Grounds for suspension or revocation of license.—

(2) The license of any home warranty association shall be suspended, revoked, or not renewed if it is determined that such association:

(f) Has issued warranty contracts which renewal contracts provide that the cost of renewal exceeds the then-current cost for new warranty contracts*, unless the increase is supported by the claims history or claims cost data,* or impose a fee for inspection of the premises.

Section 18. Effective upon this act becoming a law, section 634.312, Florida Statutes, is amended to read:

634.312 *Forms; required provisions and procedures* ~~Filing; approval of forms~~.—

~~(1) No warranty form or related form shall be issued or used in this state unless it has been filed with and approved by the office. Also upon application for a license, the office shall require the applicant to submit for approval each brochure, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution. Approval of the application constitutes approval of such documents, unless the applicant has consented otherwise in writing. The office shall disapprove any document which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material facts.~~

~~(a) After an application has been approved, a licensee is not required to submit brochures or advertisement to the office for approval; however, a licensee may not have published, and a person may not publish, any brochure or advertisement which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material fact.~~

~~(b) For purposes of this section, brochures and advertising includes, but is not limited to, any report, circular, public announcement, certificate, or other printed matter or advertising material which is designed or used to solicit or induce any persons to enter into any home warranty agreement.~~

~~(2) Every such filing shall be made not less than 30 days in advance of issuance or use. At the expiration of 30 days from date of filing, a form so filed shall be deemed approved unless prior thereto it has been affirmatively approved or disapproved by written order of the office.~~

~~(3) The office shall not approve any such form that imposes a fee for inspection of the premises.~~

(1)~~(4)~~ All home warranty contracts are assignable in a consumer transaction and must contain a statement informing the purchaser of the home warranty of her or his right to assign it, at least within 15 days from the date the home is sold or transferred, to a subsequent retail purchaser of the home covered by the home warranty and all conditions on such right of transfer. The home warranty company may charge an assignment fee not to exceed $40. Home warranty assignments include, but are not limited to, the assignment from a home builder who purchased the home warranty to a subsequent home purchaser.

(2)~~(5)~~ Subject to the insurer's or home warranty association's requirement as to payment of premium, every home warranty shall be mailed or delivered to the warranty holder not later than 45 days after the effectuation of coverage, and the application is part of the warranty contract document.

(3)~~(6)~~ All home warranty contracts must state in conspicuous, boldfaced type that the home warranty may not provide listing period coverage free of charge.

(4)~~(7)~~ All home warranty contracts must disclose any exclusions, restrictions, or limitations on the benefits offered or the coverage provided by the home warranty contract in boldfaced type, and must con-

tain, in boldfaced type, a statement on the front page of the contract substantially similar to the following: "Certain items and events are not covered by this contract. Please refer to the exclusions listed on page _____ of this document."

(5)~~(8)~~ Each home warranty contract shall contain a cancellation provision. Any home warranty agreement may be canceled by the purchaser within 10 days after purchase. The refund must be 100 percent of the gross premium paid, less any claims paid on the agreement. A reasonable administrative fee may be charged, not to exceed 5 percent of the gross premium paid by the warranty agreement holder. After the home warranty agreement has been in effect for 10 days, if the contract is canceled by the warranty holder, a return of premium shall be based upon 90 percent of unearned pro rata premium less any claims that have been paid. If the contract is canceled by the association for any reason other than for fraud or misrepresentation, a return of premium shall be based upon 100 percent of unearned pro rata premium*, less any claims paid on the agreement*.

(6) By July 1, 2011, each home warranty contract sold in this state must be accompanied by a written disclosure to the consumer that the rate charged for the contract is not subject to regulation by the office. A home warranty association may comply with this requirement by including such disclosure in its home warranty contract form or in a separate written notice provided to the consumer at the time of sale.

Section 19. Effective upon this act becoming a law, section 634.3123, Florida Statutes, is amended to read:

634.3123 *Noncompliant* ~~Grounds for disapproval of~~ forms.—The office *may order a home warranty association to stop using any contract* ~~shall disapprove~~ ~~any~~ form *that* ~~filed under s. 634.312 or withdraw any previous approval if the form~~:

(1) Is in violation of or does not comply with this part.

(2) Contains or incorporates by reference, when such incorporation is otherwise permissible, any inconsistent, ambiguous, or misleading clauses or exceptions or conditions which deceptively affect the risk purported to be assumed in the general coverage of the contract.

(3) Has any title, heading, or other indication of its provisions which is misleading.

(4) Is printed or otherwise reproduced in such a manner as to render any material provision of the form illegible.

(5) Provides that the cost of renewal exceeds the then-current cost for new warranty contracts*, unless the increase is supported by the claims history or claims cost data,* or impose a fee for inspection of the premises.

Section 20. Effective upon this act becoming a law, section 634.314, Florida Statutes, is amended to read:

634.314 Examination of associations.—

(1) Home warranty associations licensed under this part *may* ~~shall~~ be subject to periodic examinations by the office, in the same manner and subject to the same terms and conditions as apply to insurers under part II of chapter 624 of the insurance code.

(2) The office shall determine whether to conduct an examination of a home warranty association by considering:

(a) The amount of time that the association has been continuously licensed and operating under the same management and control.

(b) The association's history of compliance with applicable law.

(c) The number of consumer complaints against the association.

(d) The financial condition of the association, demonstrated by the financial reports submitted pursuant to s. 634.313.

Section 21. Effective upon this act becoming a law, paragraph (b) of subsection (1) of section 634.3205, Florida Statutes, is amended to read:

634.3205 Rebating; when allowed.—

(1) No sales representative shall rebate any portion of his or her commission except as follows:

(b) The rebate shall be in accordance with a rebating schedule filed *with and approved* by the ~~sales representative with the~~ home warranty association issuing the home warranty to which the rebate applies. The home warranty association shall maintain a copy of all rebating schedules for a period of 3 years.

Section 22. Effective upon this act becoming a law, subsection (8) of section 634.336, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

634.336 Unfair methods of competition and unfair or deceptive acts or practices defined.—The following methods, acts, or practices are defined as unfair methods of competition and unfair or deceptive acts or practices:

(8) COERCION OF DEBTORS.—When a home warranty is sold ~~as authorized by s. 634.301(3)(b)~~:

(a) Requiring, as a condition precedent or condition subsequent to the lending of the money or the extension of the credit or any renewal thereof, that the person to whom such credit is extended purchase a home warranty; or

(b) Failing to provide the advice required by s. 634.344.

(9) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO SALE.—Failing to provide a consumer with a complete sample copy of the terms and conditions of the home warranty contract prior to the time of sale upon a request for the same by the consumer. A home warranty association may comply with this subsection by providing the consumer with a sample copy of the terms and conditions of the home warranty contract or by directing the consumer to a website that displays a complete sample of the terms and conditions of the contract.

Section 23. Effective upon this act becoming a law, section 634.344, Florida Statutes, is amended to read:

634.344 Coercion of debtor prohibited.—

(1) When a home warranty is sold *in connection with the lending of money* ~~as authorized by s. 634.301(3)(b)~~, *a* ~~no~~ person may *not* require, as a condition precedent or condition subsequent to the lending of the money or the extension of the credit or any renewal thereof, that the person to whom such money or credit is extended purchase a home warranty.

(2) When a home warranty is purchased in connection with the lending of money ~~as authorized by s. 634.301(3)(b)~~, the insurer or home warranty association or the sales representative of the insurer or home warranty association shall advise the borrower or purchaser in writing that Florida law prohibits the lender from requiring the purchase of a home warranty as a condition precedent or condition subsequent to the making of the loan.

Section 24. Effective upon this act becoming a law, subsection (5) of section 634.401, Florida Statutes, is amended to read:

634.401 Definitions.—As used in this part, the term:

(5) "Indemnify" means to undertake repair or replacement of a consumer product, *or pay compensation for such repair or replacement by cash, check, store credit, gift card, or other similar means,* in return for the payment of a segregated premium, when such consumer product suffers operational failure.

Section 25. Effective upon this act becoming a law, subsection (5) is added to section 634.403, Florida Statutes, to read:

634.403 License required.—

(5) Any person who provides, offers to provide, or holds oneself out as providing or offering to provide a service warranty in this state or from this state without holding a subsisting license commits, in addition to any other violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 26. Effective upon this act becoming a law, paragraph (e) of subsection (3) of section 634.406, Florida Statutes, is amended to read:

634.406 Financial requirements.—

(3) An association will not be required to establish an unearned premium reserve if it has purchased contractual liability insurance which demonstrates to the satisfaction of the office that 100 percent of its claim exposure is covered by such policy. The contractual liability insurance shall be obtained from an insurer that holds a certificate of authority to do business within the state. For the purposes of this subsection, the contractual liability policy shall contain the following provisions:

(e) In the event the issuer of the contractual liability policy is fulfilling the service warranty covered by policy and in the event the service warranty holder cancels the service warranty, it is the responsibility of the contractual liability policy issuer to effectuate a full refund of unearned premium to the consumer. This refund shall be subject to the cancellation fee provisions of s. 634.414~~(3)~~. The salesperson or agent shall refund to the contractual liability policy issuer the unearned pro rata commission.

Section 27. Effective upon this act becoming a law, section 634.414, Florida Statutes, is amended to read:

634.414 *Forms; required provisions* ~~Filing; approval of forms~~.—

~~(1) No service warranty form or related form shall be issued or used in this state unless it has been filed with and approved by the office. Upon application for a license, the office shall require the applicant to submit for approval each brochure, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution. The office shall disapprove any document which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material facts.~~

~~(a) After an application has been approved, a licensee is not required to submit brochures or advertisement to the office for approval; however, a licensee may not have published, and a person may not publish, any brochure or advertisement which is untrue, deceptive, or misleading or which contains misrepresentations or omissions of material fact.~~

~~(b) For purposes of this section, brochures and advertising includes, but is not limited to, any report, circular, public announcement, certificate, or other printed matter or advertising material which is designed or used to solicit or induce any persons to enter into any service warranty agreement.~~

~~(2) Each filing shall be made not less than 30 days in advance of its issuance or use. At the expiration of 30 days from date of filing, a form so filed shall be deemed approved unless prior thereto it has been affirmatively disapproved by written order of the office.~~

(1)~~(3)~~ Each service warranty contract shall contain a cancellation provision. *If* ~~In the event~~ the contract is canceled by the warranty holder, return of premium shall be based upon *no less than* 90 percent of unearned pro rata premium less any claims that have been paid or less the cost of repairs made on behalf of the warranty holder. *If* ~~In the event~~ the contract is canceled by the association, return of premium shall be based upon 100 percent of unearned pro rata premium*, less any claims paid or the cost of repairs made on behalf of the warranty holder*.

(2) By July 1, 2011, each service warranty contract sold in this state must be accompanied by a written disclosure to the consumer that the rate charged for the contract is not subject to regulation by the office. A service warranty association may comply with this requirement by including such disclosure in its service warranty contract form or in a separate written notice provided to the consumer at the time of sale.

~~(4) The name of the service warranty association issuing the contract must be more prominent than any other company name or program name on the service warranty form or sales brochure.~~

Section 28. Effective upon this act becoming a law, section 634.4145, Florida Statutes, is amended to read:

634.4145 *Noncompliant* ~~Grounds for disapproval of~~ forms.—The office *may order a service warranty association to stop using any contract* ~~shall disapprove any~~ form *that* ~~filed under s. 634.414 if the form~~:

(1) Violates this part;

(2) Is misleading in any respect;

(3) Is reproduced so that any material provision is substantially illegible; or

(4) Contains provisions which are unfair or inequitable or which encourage misrepresentation.

Section 29. Effective upon this act becoming a law, section 634.415, Florida Statutes, is amended to read:

634.415 Tax on premiums; annual statement; reports~~; quarterly statements~~.—

(1) In addition to the license fees provided in this part for service warranty associations and license taxes as provided in the insurance code as to insurers, each such association and insurer shall, annually on or before March 1, file with the office its annual statement, in the form prescribed by the commission, showing all premiums or assessments received by it in connection with the issuance of service warranties in this state during the preceding calendar year and using accounting principles which will enable the office to ascertain whether the financial requirements set forth in s. 634.406 have been satisfied.

(2) The gross amount of premiums and assessments is subject to the sales tax imposed by s. 212.0506.

(3) The office may levy a fine of up to $100 a day for each day an association neglects to file the annual statement in the form and within the time provided by this part. The amount of the fine shall be established by rules adopted by the commission. The office shall deposit all sums collected by it under this section to the credit of the Insurance Regulatory Trust Fund.

~~(4) In addition to an annual statement, the office may require of licensees, under oath and in the form prescribed by it, quarterly statements or special reports which it deems necessary to the proper supervision of licensees under this part. For manufacturers as defined in s. 634.401, the office shall require only the annual audited financial statements of the warranty operations and corporate reports as filed by the manufacturer with the Securities and Exchange Commission, provided that the office may require additional reporting by manufacturers upon a showing by the office that annual reporting is insufficient to protect the interest of purchasers of service warranty agreements in this state or fails to provide sufficient proof of the financial status required by this part.~~

(4)~~(5)~~ The office may suspend or revoke the license of a service warranty association failing to file its annual statement ~~or quarterly report~~ when due.

(5)~~(6)~~ The commission may by rule require each service warranty association to submit to the office, as the commission may designate, all or part of the information contained in the financial statements and reports required by this section in a computer-readable form compatible with the electronic data processing system specified by the office.

Section 30. Effective upon this act becoming a law, section 634.416, Florida Statutes, is amended to read:

634.416 Examination of associations.—

(1)*(a)* Service warranty associations licensed under this part *may be* ~~are~~ subject to periodic examination by the office, in the same manner and subject to the same terms and conditions that apply to insurers under part II of chapter 624.

(b) The office shall determine whether to conduct an examination of a service warranty association by considering:

1. The amount of time that the association has been continuously licensed and operating under the same management and control.

2. The association's history of compliance with applicable law.

3. The number of consumer complaints against the association.

4. The financial condition of the association, demonstrated by the financial reports submitted pursuant to s. 634.313.

(2) ~~However,~~ The rate charged a service warranty association by the office for examination may be adjusted to reflect the amount collected for the Form 10-K filing fee as provided in this section.

(3) On or before May 1 of each year, an association may submit to the office the Form 10-K, as filed with the United States Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended. Upon receipt and review of the most current Form 10-K, the office may waive the examination requirement; if the office determines not to waive the examination, such examination will be limited to that examination necessary to ensure compliance with this part. The Form 10-K shall be accompanied by a filing fee of $2,000 to be deposited into the Insurance Regulatory Trust Fund.

(4)~~(2)~~ The office is not required to examine an association that has less than $20,000 in gross written premiums as reflected in its most recent annual statement. The office may examine such an association if it has reason to believe that the association may be in violation of this part or is otherwise in an unsound financial condition. If the office examines an association that has less than $20,000 in gross written premiums, the examination fee may not exceed 5 percent of the gross written premiums of the association.

Section 31. Effective upon this act becoming a law, paragraph (b) of subsection (1) of section 634.4225, Florida Statutes, is amended to read:

634.4225 Rebating; when allowed.—

(1) No sales representative shall rebate any portion of his or her commission except as follows:

(b) The rebate shall be in accordance with a rebating schedule filed *with and approved* by the ~~sales representative with the~~ association issuing the service warranty to which the rebate applies. The association shall maintain a copy of all rebating schedules for a period of 3 years.

Section 32. Effective upon this act becoming a law, subsection (9) is added to section 634.436, Florida Statutes, to read:

634.436 Unfair methods of competition and unfair or deceptive acts or practices defined.—The following methods, acts, or practices are defined as unfair methods of competition and unfair or deceptive acts or practices:

(9) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO SALE.—Failing to provide a consumer with a complete sample copy of the terms and conditions of the service warranty prior to before the time of sale upon a request for the same by the consumer. A service warranty association may comply with this subsection by providing the consumer with a sample copy of the terms and conditions of the warranty contract or by directing the consumer to a website that displays a complete sample of the terms and conditions of the contract.

Section 33. Effective upon this act becoming a law, subsections (2), (3), (4), and (5) of section 634.136, Florida Statutes, are amended to read:

634.136 Office records required.—Each licensed motor vehicle service contract company, as a minimum requirement for permanent office records, shall maintain:

~~(2) Memorandum journals showing the blank service agreement forms issued to the company salespersons and recording the delivery of the forms to the dealer.~~

~~(3) Memorandum journals showing the service contract forms received by the motor vehicle dealers and indicating the disposition of the forms by the dealer.~~

(2)~~(4)~~ A detailed service agreement register, in numerical order by service agreement number, of agreements in force, which register shall include the following information: service agreement number, date of issue, issuing dealer, name of agreement holder, whether the agreement is covered by contractual liability insurance or the unearned premium reserve account, description of motor vehicle, service agreement period and mileage, gross premium, commission to salespersons, commission to dealer, and net premium.

(3)~~(5)~~ A detailed claims register, in numerical order by service agreement number, which register shall include the following information: service agreement number, date of issue, date of claim, type of claim, issuing dealer, amount of claim, date claim paid, and, if applicable, disposition other than payment and reason therefor.

Section 34. Effective upon this act becoming a law, subsections (4) and (5) of section 634.313, Florida Statutes, are amended to read:

634.313 Tax on premiums; annual statement; reports.—

~~(4) In addition to an annual statement, the office may require of licensees, under oath and in the form prescribed by it, such additional regular or special reports as it may deem necessary to the proper supervision of licensees under this part.~~

(4)~~(5)~~ The commission may by rule require each home warranty association to submit to the office, as the commission may designate, all or part of the information contained in the financial reports required by this section in a computer-readable form compatible with the electronic data processing system specified by the office.

Section 35. *Effective upon this act becoming a law, sections 634.1216 and 634.3126, Florida Statutes, are repealed.*

Section 36. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect January 1, 2011.

And the title is amended as follows:

Remove lines 64-65 and insert: information at the insurer's expense; amending s. 628.4615, F.S., relating to specialty insurers; conforming a cross-reference; amending s. 634.011, F.S.; revising the definition of the term "motor vehicle service agreement;" amending s. 634.031, F.S.; providing penalties for certain licensure violations; amending s. 634.041, F.S., relating to qualifications for licensure; conforming cross-references; amending s. 634.095, F.S.; prohibiting service agreement companies from issuing certain deceptive advertisements, operating without a subsisting license, or remitting premiums to a person other than the obligated service agreement company; amending s. 634.121, F.S.; deleting a requirement that certain service agreement forms be approved by the Office of Insurance Regulation of the Financial Services Commission; requiring the service agreements to include certain written disclosures; amending s. 634.1213, F.S.; authorizing the office to order a service agreement company to stop using forms that do not comply with specified requirements; amending s. 634.137, F.S.; deleting a schedule for the submissions of certain reports; amending s. 634.141, F.S.; providing guidelines for the office to use in determining whether to examine a company; amending s. 634.1815, F.S.; requiring certain rebates to be approved by the company issuing a service agreement; amending s. 634.282, F.S.; clarifying provisions relating to the refund of excess premiums or charges; requiring that a consumer receive a sample copy of the service agreement prior to the sale of a service agreement; amending s. 634.301, F.S.; revising certain definitions relating home warranties; amending s. 634.303, F.S.; providing that it is a first-degree misdemeanor for a person without a subsisting license to provide or offer to provide home warranties; amending s. 634.308, F.S.; providing an exception to certain grounds for licensure suspension or revocation; amending s. 634.312, F.S.; deleting a requirement that certain home warranty agreement forms be approved by the office; requiring the home warranty contracts to include certain written disclosures; amending s. 634.3123, F.S.; authorizing the office to order a home warranty association to stop using forms that do not comply with specified requirements; amending s. 634.314, F.S.; providing guidelines for the office to use in determining whether to examine an association; amending s. 634.3205, F.S.; requiring certain rebates to be approved by the association issuing a service agreement; amending s. 634.336, F.S.; requiring that a consumer receive a sample copy of the service agreement prior to the sale of a service agreement; amending s. 634.344, F.S.; prohibiting certain coercive actions relating to the sale of a home warranty in connection with the lending of money; amending s. 634.401, F.S.; redefining the term "indemnify;" amending s. 634.403, F.S.; providing that it is a

first-degree misdemeanor for a person without a subsisting license to provide or offer to provide service warranties; amending s. 634.406, F.S., relating to financial requirements; conforming a cross-reference; amending s. 634.414, F.S.; deleting a requirement that certain service warranty forms be approved by the office; deleting certain requirements relating to the display of the issuing association's name on literature; requiring the service warranty contracts to include certain written disclosures; amending s. 634.4145, F.S.; authorizing the office to order a service warranty association to stop using forms that do not comply with specified requirements; amending s. 634.415, F.S.; deleting a requirement that associations file certain quarterly statements and special reports; amending s. 634.416, F.S.; providing guidelines for the office to use in determining whether to examine an service warranty association; amending s. 634.4225, F.S.; requiring certain rebates to be approved by the association issuing a service warranty; amending s. 634.436, F.S.; requiring that a consumer receive a sample copy of the service agreement prior to the sale of a service agreement; amending s. 634.136, F.S.; deleting certain provisions requiring records to be maintained by motor vehicle service contract companies; amending s. 634.313, F.S.; deleting certain requirements for reports relating to taxes on premiums; repealing ss. 634.1216 and 634.3126, F.S., relating to required rate filings; providing effective dates.

Senator Bennett moved the following amendment which was adopted:

Senate Amendment 1 (742024) (with title amendment) to House Amendment 3—Between lines 1016 and 1017 insert:

Section 35. *This act may be cited as the "Safeguard Our Seniors Act."*

Section 36. Paragraph (a) of subsection (1) of section 624.310, Florida Statutes, is amended to read:

624.310 Enforcement; cease and desist orders; removal of certain persons; fines.—

(1) DEFINITIONS.—For the purposes of this section, the term:

(a) "Affiliated party" means any person who directs or participates in the conduct of the affairs of a licensee and who is:

1. A director, officer, employee, trustee, committee member, or controlling stockholder of a licensee or a subsidiary or service corporation of the licensee, other than a controlling stockholder which is a holding company, or an agent of a licensee or a subsidiary or service corporation of the licensee;

2. A person who has filed or is required to file a statement or any other information required to be filed under s. 628.461 or s. 628.4615;

3. A stockholder, other than a stockholder that is a holding company of the licensee, who participates in the conduct of the affairs of the licensee; ~~or~~

4. An independent contractor who:

a. Renders a written opinion required by the laws of this state under her or his professional credentials on behalf of the licensee, which opinion is reasonably relied on by the department or office in the performance of its duties; or

b. Affirmatively and knowingly conceals facts, through a written misrepresentation to the department or office, with knowledge that such misrepresentation:

(I) Constitutes a violation of the insurance code or a lawful rule or order of the department, commission, or office; and

(II) Directly and materially endangers the ability of the licensee to meet its obligations to policyholders*; or*~~.~~

5. A third-party marketer who aids or abets a licensee in a violation of the insurance code relating to the sale of an annuity to a person 65 years of age or older.

For the purposes of this subparagraph, any representation of fact made by an independent contractor on behalf of a licensee, affirmatively communicated as a representation of the licensee to the independent contractor, shall not be considered a misrepresentation by the independent contractor.

Section 37. Section 624.46223, Florida Statutes, is created to read:

624.46223 Notice of intent to withdraw.—Any association, fund, or pool authorized by state law and created for the purpose of forming a risk-management mechanism or providing self insurance for public entities in this state may not require its members to provide more than 45 days' notice of the member's intention to withdraw as a prerequisite for withdrawing from the association, fund, or pool.

Section 38. Paragraph (j) of subsection (2) of section 626.221, Florida Statutes, is amended to read:

626.221 Examination requirement; exemptions.—

(2) However, no such examination shall be necessary in any of the following cases:

(j) An applicant for license as a customer representative who has earned the designation of Accredited Advisor in Insurance (AAI) from the Insurance Institute of America, the designation of Certified Insurance Counselor (CIC) from the Society of Certified Insurance Service Counselors, the designation of Accredited Customer Service Representative (ACSR) from the Independent Insurance Agents of America, the designation of Certified Professional Service Representative (CPSR) from the National Foundation for Certified Professional Service Representatives, the designation of Certified Insurance Service Representative (CISR) from the Society of Certified Insurance Service Representatives*, or the designation of Certified Insurance Representative (CIR) from the National Association of Christian Catastrophe Insurance Adjusters*. Also, an applicant for license as a customer representative who has earned an associate degree or bachelor's degree from an accredited college or university with at least 9 academic hours of property and casualty insurance curriculum, or the equivalent, or has earned the designation of Certified Customer Service Representative (CCSR) from the Florida Association of Insurance Agents, or the designation of Registered Customer Service Representative (RCSR) from a regionally accredited postsecondary institution in this state, or the designation of Professional Customer Service Representative (PCSR) from the Professional Career Institute, whose curriculum has been approved by the department and whose curriculum includes comprehensive analysis of basic property and casualty lines of insurance and testing at least equal to that of standard department testing for the customer representative license. The department shall adopt rules establishing standards for the approval of curriculum.

Section 39. Subsection (13) of section 626.025, Florida Statutes, is amended to read:

626.025 Consumer protections.—To transact insurance, agents shall comply with consumer protection laws, including the following, as applicable:

(13) The prohibition against the designation of a life insurance agent *or his or her family member* as the beneficiary of life insurance policy sold to an individual other than a family member under s. 626.798.

Section 40. Paragraph (k) of subsection (3) of section 626.2815, Florida Statutes, is amended to read:

626.2815 Continuing education required; application; exceptions; requirements; penalties.—

(3)

(k) Any person who holds a license to solicit or sell life insurance in this state must complete a minimum of 3 hours in continuing education, approved by the department, on the subject of suitability in annuity and life insurance transactions. *This requirement does not apply to an agent who does not have any active life insurance or annuity contracts. In applying this exemption, the department may require the filing of a certification attesting that the agent has not sold life insurance or annuities during the continuing education compliance cycle in question and does not have any active life insurance or annuity contracts.* A licensee may use the hours obtained under this paragraph to satisfy the requirement for continuing education in ethics under paragraph (a).

Section 41. Subsection (13) is added to section 626.621, Florida Statutes, to read:

626.621 Grounds for discretionary refusal, suspension, or revocation of agent's, adjuster's, customer representative's, service representative's, or managing general agent's license or appointment.—The department may, in its discretion, deny an application for, suspend, revoke, or refuse to renew or continue the license or appointment of any applicant, agent, adjuster, customer representative, service representative, or managing general agent, and it may suspend or revoke the eligibility to hold a license or appointment of any such person, if it finds that as to the applicant, licensee, or appointee any one or more of the following applicable grounds exist under circumstances for which such denial, suspension, revocation, or refusal is not mandatory under s. 626.611:

(13) Has been the subject of or has had a license, permit, appointment, registration, or other authority to conduct business subject to any decision, finding, injunction, suspension, prohibition, revocation, denial, judgment, final agency action, or administrative order by any court of competent jurisdiction, administrative law proceeding, state agency, federal agency, national securities, commodities, or option exchange, or national securities, commodities, or option association involving a violation of any federal or state securities or commodities law or any rule or regulation adopted thereunder, or a violation of any rule or regulation of any national securities, commodities, or options exchange or national securities, commodities, or options association.

Section 42. Subsection (3) of section 626.641, Florida Statutes, is amended to read:

626.641 Duration of suspension or revocation.—

(3)*(a)* If *any of an individual's* licenses as *an* agent or customer representative, or the eligibility to hold *such license or licenses has* ~~same, as to the same individual have~~ been revoked at two separate times, the department *may* ~~shall~~ not thereafter grant or issue any license under this code ~~as~~ to such individual.

(b) If a license as an agent or customer representative or the eligibility to hold such a license has been revoked resulting from the solicitation or sale of an insurance product to a person 65 years of age or older, the department may not thereafter grant or issue any license under this code to such individual.

Section 43. Section 626.798, Florida Statutes, is amended to read:

626.798 Life agent as beneficiary; prohibition.—No life agent shall, with respect to the placement of life insurance coverage with a life insurer covering the life of a person who is not a family member of the agent, handle in his or her capacity as a life agent the placement of such coverage when the agent placing the coverage *or a family member of such agent* ~~receives a commission therefor and~~ is the named beneficiary under the life insurance policy, unless the life agent *or family member* has an insurable interest in the life of such person. *However, the agent or a family member of such agent may not be designated as a trustee or guardian or be granted power of attorney unless he or she is a family member of the policy owner or insured, or is a bank or trust company duly authorized to act as a fiduciary.* For the purposes of this section, the phrase "not a family member," with respect to a life agent, means an individual who is not related to the life agent as father, mother, son, daughter, brother, sister, grandfather, grandmother, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. For the purposes of this section, the term "insurable interest" means that the life agent has an actual, lawful, and substantial economic interest in the safety and preservation of the life of the insured or a reasonable expectation of benefit or advantage from the continued life of the insured.

Section 44. Paragraphs (a) and (b) of subsection (3) of section 626.9521, Florida Statutes, are amended, and subsections (4) and (5) are added to that section, to read:

626.9521 Unfair methods of competition and unfair or deceptive acts or practices prohibited; penalties.—

(3)(a) If a person violates s. 626.9541(1)(l), the offense known as "twisting," or violates s. 626.9541(1)(aa), the offense known as "churning," the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082, and an administrative fine not greater than $5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than *$75,000* ~~$40,000~~ shall be imposed for each willful violation. To impose *an administrative fine for a willful violation* ~~criminal penalties~~ under this paragraph, the practice of "churning" or "twisting" must involve fraudulent conduct.

(b) If a person violates s. 626.9541(1)(ee) by willfully submitting fraudulent signatures on an application or policy-related document, the person commits a felony of the third degree, punishable as provided in s. 775.082, and an administrative fine not greater than $5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than *$75,000* ~~$40,000~~ shall be imposed for each willful violation.

(4) A licensee must make all reasonable efforts to ascertain the consumer's age at the time an insurance application is completed.

(5) If a consumer who is a senior citizen is a victim, a video deposition of the victim may be used for any purpose in any administrative proceeding conducted pursuant to chapter 120 if all parties are given proper notice of the deposition in accordance with the Florida Rules of Civil Procedure.

Section 45. Subsection (4) of section 626.99, Florida Statutes, is amended to read:

626.99 Life insurance solicitation.—

(4) DISCLOSURE REQUIREMENTS.—

(a) The insurer shall provide to each prospective purchaser a buyer's guide and a policy summary prior to accepting the applicant's initial premium or premium deposit, unless the policy for which application is made provides an unconditional refund for a period of at least 14 days, or unless the policy summary contains an offer of such an unconditional refund.~~,~~ In *these instances,* ~~which event~~ the buyer's guide and policy summary must be delivered with the policy or prior to delivery of the policy.

(b) With respect to *fixed and variable* annuities, ~~the insurer shall provide to each prospective purchaser a buyer's guide to annuities and a contract summary as provided in the National Association of Insurance Commissioners (NAIC) Model Annuity and Deposit Fund Regulation and~~ the policy must provide an unconditional refund for a period of at least 14 days. *For fixed annuities, the buyer's guide shall be in the form as provided by the National Association of Insurance Commissioners (NAIC) Annuity Disclosure Model Regulation, until such time as a buyer's guide is developed by the department, at which time the department guide must be used. For variable annuities, a policy summary may be used, which may be contained in a prospectus, until such time as a buyer's guide is developed by NAIC or the department, at which time one of those guides must be used. If the prospective owner of an annuity contract is 65 years of age or older:*

1. An unconditional refund of premiums paid for a fixed annuity contract, including any contract fees or charges, must be available for a period of 21 days; and

2. An unconditional refund for variable or market value annuity contracts must be available for a period of 21 days. The unconditional refund shall be equal to the cash surrender value provided in the annuity contract, plus any fees or charges deducted from the premiums or imposed under the contract. This subparagraph does not apply if the prospective owner is an accredited investor, as defined in Regulation D as adopted by the United States Securities and Exchange Commission.

(c) The insurer shall attach a cover page to any annuity policy informing the purchaser of the unconditional refund period prescribed in paragraph (b). The cover page must also provide contact information for the issuing company and the selling agent, the department's toll-free help line, and any other information required by the department by rule. The cover page is part of the policy and is subject to review by the office pursuant to s. 627.410.

(d)~~(b)~~ The insurer shall provide a buyer's guide and a policy summary to any prospective purchaser upon request.

Section 46. Subsections (3) and (5) of section 627.4554, Florida Statutes, as amended by section 9 of chapter 2008-237, Laws of Florida, are amended, present subsection (9) of that section is renumbered as subsection (10), and a new subsection (9) is added to that section, to read:

627.4554 Annuity investments by seniors.—

(3) DEFINITIONS.—For purposes of this section, the term:

(a) "Annuity contract" means a fixed annuity, equity indexed annuity, fixed equity indexed annuity, or variable annuity that is individually solicited, whether the product is classified as an individual annuity or a group annuity.

(b) "Accredited investor" means any person who comes within any of the following categories, or who the issuer reasonably believes comes within any of the following categories, at the time of the sale of an annuity to that person:

1. The person's net worth or joint net worth with his or her spouse, at the time of the purchase, exceeds $1 million; or

2. The person had an individual income in excess of $200,000 in each of the 2 most recent years, or joint income with his or her spouse in excess of $300,000 in each of those years, and has a reasonable expectation of reaching the same income level in the current year.

(c)~~(b)~~ "Recommendation" means advice provided by an insurance agent, or an insurer if no insurance agent is involved, to an individual senior consumer which results in a purchase or exchange of an annuity in accordance with that advice.

(d)~~(c)~~ "Senior consumer" means a person 65 years of age or older. In the event of a joint purchase by more than one party, a purchaser is considered to be a senior consumer if any of the parties is age 65 or older.

(5) MITIGATION OF RESPONSIBILITY.—

(a) The office may order an insurer to take reasonably appropriate corrective action, including rescission of the policy or contract and a full refund of the premiums paid or the accumulation value, whichever is greater, for any senior consumer harmed by a violation of this section by the insurer or the insurer's insurance agent.

(b) The department may order:

1. An insurance agent to take reasonably appropriate corrective action*, including monetary restitution of penalties or fees incurred by the senior consumer,* for any senior consumer harmed by a violation of this section by the insurance agent.

2. A managing general agency or insurance agency that employs or contracts with an insurance agent to sell or solicit the sale of annuities to senior consumers to take reasonably appropriate corrective action for any senior consumer harmed by a violation of this section by the insurance agent.

(c) The department shall, in addition to any other penalty authorized under chapter 626, order an insurance agent to pay restitution to any senior consumer who has been deprived of money by the agent's misappropriation, conversion, or unlawful withholding of monies belonging to the senior consumer in the course of a transaction involving annuities. The amount of restitution required to be paid pursuant to this paragraph may not exceed the amount misappropriated, converted, or unlawfully withheld. This paragraph does not limit or restrict a person's right to seek other remedies as provided by law.

(d)~~(c)~~ Any applicable penalty under the Florida Insurance Code for a violation of paragraph (4)(a), paragraph (4)(b), or subparagraph (4)(c)2. may be reduced or eliminated, according to a schedule adopted by the office or the department, as appropriate, if corrective action for the senior consumer was taken promptly after a violation was discovered.

(9) PROHIBITED CHARGES.—An annuity contract issued to a senior consumer may not contain a surrender or deferred sales charge for a withdrawal of money from an annuity exceeding 10 percent of the amount withdrawn. The charge shall be reduced so that no surrender or deferred sales charge exists after the end of the 10th policy year or 10 years after the premium is paid, whichever is later. This subsection does not apply to annuities purchased by an accredited investor or to those annuities specified in paragraph (7)(b).

And the title is amended as follows:

Delete line 1103 and insert: F.S., relating to required rate filings; providing a short title; amending s. 624.310, F.S.; expanding the definition of "affiliated party" to include certain third-party marketers; creating s. 624.46223, F.S.; prohibiting a self-insurance association, fund, or pool from requiring its members to provide more than a specified maximum period of notice of any member's intent to withdraw; amending s. 626.221, F.S.; expanding the list of individuals who are exempt from the requirement to pass an examination before being issued a license as an agent, customer representative, or adjuster; amending s. 626.025, F.S.; including family members of insurance agents in a prohibition related to the transaction of life insurance; amending s. 626.2815, F.S.; providing an exemption from certain continuing education requirements to certain agents; authorizing the department to take certain action in applying such exemption; amending s. 626.621, F.S.; expanding grounds for discretionary refusal, suspension, or revocation of certain licenses; amending s. 626.641, F.S.; prohibiting the Department of Financial Services from issuing certain licenses in certain circumstances; amending s. 626.798, F.S.; prohibiting a family member of a life insurance agent from being a beneficiary of certain policies; prohibiting an agent or a family member of such agent from being designated as a trustee or guardian or being granted power of attorney unless he or she is a family member of the policy owner or insured, or is a bank or trust company duly authorized to act as a fiduciary; amending s. 626.9521, F.S.; increasing the administrative fine that may be imposed for each willful violation of the offenses of twisting and churning; increasing the administrative fine that may be imposed for each willful violation of the offense of submitting fraudulent signatures on an application or policy-related document; requiring that a licensee make a reasonable effort to ascertain a customer's age at the time of completion of an insurance application; authorizing the use of video depositions in certain circumstances; amending s. 626.99, F.S.; requiring that the buyer's guide for fixed annuities be in the form provided by the National Association of Insurance Commissioners Annuity Disclosure Model Regulation; authorizing the use of a policy summary for variable annuities until the NAIC or the department develops a buyer's guide; extending the unconditional refund period for fixed annuity contracts and variable or market value annuity contracts for customers 65 years of age or older; requiring that the unconditional refund amount for a variable or market value annuity contract be equal to the cash surrender value provided in the contract, plus any fees or charges deducted from the premiums or imposed under the contract; providing for applicability of certain provisions; requiring that an insurer provide a prospective purchaser of an annuity policy with a buyer's guide to annuities; requiring that such buyer's guide contain certain information; requiring that an insurer attach a cover page to an annuity policy informing the purchaser of the unconditional refund period; requiring that the cover page provide other specified information; amending s. 627.4554, F.S.; defining the term "accredited investor;" authorizing the Department of Financial Services to order an insurance agent to pay monetary restitution to a senior consumer under certain circumstances; limiting the amount of such restitution; prohibiting an annuity contract issued to a senior consumer from containing a surrender or deferred sales charge for withdrawal of funds from an annuity in excess of a specified maximum amount; providing for the periodic reduction of such charge; providing

On motion by Senator Peaden, the Senate concurred in **House Amendments 1** and **2**; and concurred in **House Amendment 3** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for SB 2176 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Baker	Crist
Alexander	Bennett	Dean
Altman	Bullard	Detert
Aronberg	Constantine	Diaz de la Portilla

Fasano
Gaetz
Garcia
Gardiner
Gelber
Haridopolos
Hill
Jones
Joyner
Justice
Lawson
Lynn
Negron
Oelrich
Peaden
Richter
Ring
Siplin
Smith
Sobel
Storms
Thrasher
Villalobos
Wilson
Wise

Nays—1

Rich

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 and concurred in the same as amended, and passed CS for CS for HB 1307 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for HB 1307—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising and providing definitions; providing for excess account balances in the Public Employee Optional Retirement Program when an employee transfers to the defined benefit program; providing for the use of such excess balance; requiring the State Board of Administration to resolve complaints; providing for the use of records in resolving such complaints; clarifying the state board's rule authority with respect to the program; amending s. 121.4502, F.S.; establishing a forfeiture account in the Public Employee Retirement Program Trust Fund; providing for the use of funds in the account; amending s. 121.591, F.S.; conforming a cross-reference; permitting an application for benefits under the optional retirement program to be submitted by electronic means; amending s. 121.74, F.S.; revising the contribution rates for employers participating in the Florida Retirement System; amending s. 121.78, F.S.; exempting the Division of Retirement, the state board, and the third-party administrator from liability for market losses due to acts of God; amending s. 215.44, F.S.; expanding the authority of the state board to use trust agreements; providing reporting requirements for the state board; amending s. 215.441, F.S.; providing minimum qualifications for the executive director of the state board; amending s. 215.444, F.S.; increasing membership of the Investment Advisory Council; revising membership requirements; providing council meeting and reporting requirements; amending s. 215.47, F.S.; expanding the types of investments that the state board is authorized to make; authorizing moneys available for investment by the state board to be invested in certain federally tax-exempt bonds, notes, or obligations not subject to the federal alternative minimum tax; increasing the fund amount that may be invested in a foreign entity; amending s. 215.52, F.S.; providing requirements for rules made by the state board with respect to certain fiduciary duties; amending s. 218.409, F.S.; providing for extending a moratorium on contributions to or withdrawals from the Local Government Surplus Funds Trust Fund under certain circumstances; authorizing the state board to develop work products that are subject to trademark, copyright, or patent; providing an effective date.

House Amendment 1 (493411) to **Senate Amendment 1**—Remove lines 25-27 and insert:

(3) The council members must undergo regular fiduciary

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

CS for CS for HB 1307 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President
Alexander
Altman
Aronberg
Baker
Bennett
Bullard
Constantine
Crist
Dean
Detert
Diaz de la Portilla
Dockery
Fasano
Gaetz
Garcia
Gardiner
Gelber
Haridopolos
Hill
Jones
Joyner
Justice
Lawson
Lynn
Negron
Oelrich
Peaden
Rich
Richter
Ring
Siplin
Smith
Sobel
Storms
Thrasher
Villalobos
Wilson
Wise

Nays—None

BILLS ON THIRD READING

CS for CS for CS for HB 713—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; assigning certain programs to regulation by the department's Division of Professions; amending ss. 215.37 and 455.017, F.S.; specifying that the department is responsible for the regulation of certain professions; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue reproductions of driver's licenses to the Department Business and Professional Regulation pursuant to an interagency agreement for a specified purpose; amending s. 455.02, F.S.; authorizing the temporary professional licensure of the spouses of active duty members of the United States Armed Forces under certain circumstances; providing application requirements; requiring criminal history checks and fees; creating s. 455.2122, F.S.; authorizing distance learning courses to satisfy certain licensing education requirements for community association managers and real estate brokers and sales associates; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.2123, F.S.; authorizing distance learning courses to satisfy certain continuing education requirements for community association managers, home inspectors, mold assessors and remediators, and real estate brokers, sales associates, and appraisers; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.213, F.S.; requiring a licensee to surrender his or her license under certain circumstances; amending s. 455.217, F.S.; revising the departmental unit responsible for administration of certain examinations; limiting an applicant's review of failed examination questions; amending s. 455.2175, F.S.; prohibiting an examinee whose examination materials are confiscated from taking another examination under certain circumstances; repealing s. 455.2226, F.S., relating to continuing education courses on HIV and AIDS required for licensees and certificateholders under the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 455.227, F.S.; revising grounds for the discipline of professional licensees; providing penalties; amending s. 455.228, F.S.; revising terminology for cease and desist notices; amending s. 455.275, F.S.; providing for the service of administrative complaints on certain licensees and publication of certain notices; amending s. 468.83, F.S.; creating the home inspection services licensing program within the department; amending s. 468.8311, F.S.; revising the definition of the term "home inspection services" for purposes of provisions regulating home inspectors; amending s. 468.8312, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8313, F.S.; requiring home inspector license applicants to satisfy certain examination requirements before application for licensure; requiring criminal history checks and fees; amending s. 468.8318, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering home inspection services; amending s. 468.8319, F.S.; prohibiting certain acts relating to home inspection services; delaying implementation of certain prohibited acts; providing penalties; providing an exemption for certain certified contractors; authorizing the department to require certain disclosures on contracts for home repairs performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.832, F.S.; providing an additional ground for discipline of licensed home inspectors; amending s. 468.8324, F.S.; extending the time for licensure of home inspectors under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of home inspection reports submitted for licensure under the grandfather provisions; providing penalties for the submission of false reports; creating s. 468.8325, F.S.; requiring the department to adopt rules; amending s. 468.84, F.S.; creating the mold-related services licensing program within

the department; amending s. 468.8412, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8413, F.S.; requiring mold assessor and mold remediator license applicants to satisfy certain examination requirements before application for licensure; revising the educational requirements for licensure as a mold assessor or mold remediator; requiring criminal history checks and fees; amending s. 468.8414, F.S.; specifying that certain insurance coverage is required for licensure by endorsement; amending s. 468.8418, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering mold-related services; amending s. 468.8419, F.S.; prohibiting certain acts relating to mold assessment and remediation; delaying implementation of certain prohibited acts; providing penalties; providing exemptions for certain certified contractors; authorizing the department to require certain disclosures on contracts for mold-related services performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.842, F.S.; providing an additional ground for discipline of licensed mold assessors and mold remediators; amending s. 468.8421, F.S.; revising insurance coverage requirements for mold assessors; amending s. 468.8423, F.S.; extending the time for licensure of mold assessors and mold remediators under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of mold assessments and remediation invoices submitted for licensure under the grandfather provisions; providing penalties for the submission of false assessments or invoices; creating s. 468.8424, F.S.; requiring the department to adopt rules; amending s. 474.203, F.S.; revising certain exemptions from regulation of veterinary medical practice; amending s. 475.02, F.S.; authorizing certain members of the Florida Real Estate Commission to offer, conduct, and teach courses prescribed or approved by the commission or the department; amending s. 475.175, F.S.; revising the application and fingerprint requirements for real estate broker and sales associate licenses; deleting a requirement that license applicants provide fingerprints in an electronic format; amending s. 475.613, F.S.; revising qualifications of members of the Florida Real Estate Appraisal Board; authorizing certain board members to offer, conduct, and teach courses prescribed or approved by the board or the department; amending s. 477.019, F.S.; deleting time limits for cosmetology license applicants to take the licensure examination; conforming a cross-reference; amending s. 509.211, F.S.; assigning responsibility for the regulation of carbon monoxide hazards in certain public lodging establishments to the Division of State Fire Marshal of the Department of Financial Services; creating s. 548.076, F.S.; authorizing the Department of Business and Professional Regulation to issue and enforce notices to cease and desist from violations of provisions regulating pugilistic exhibitions; providing penalties; amending s. 561.17, F.S.; revising application requirements for alcoholic beverage licenses; reenacting ss. 468.436(2)(a), 468.832(1)(a), 468.842(1)(a), 471.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and 481.325(1)(a), F.S., relating to disciplinary proceedings for community association managers, home inspectors, mold assessors, mold remediators, engineers, certified public accountants, real estate brokers and sales associates, real estate appraisers, barbers, cosmetologists, architects, and landscape architects, to incorporate the amendment made to s. 455.227, F.S., in references thereto; reenacting s. 468.8314(2), F.S., relating to the licensure of home inspectors, to incorporate the amendment made to s. 468.832, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for CS for CS for HB 713** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Detert	Jones
Alexander	Diaz de la Portilla	Joyner
Altman	Dockery	Justice
Aronberg	Fasano	Lawson
Baker	Gaetz	Lynn
Bennett	Garcia	Negron
Bullard	Gardiner	Oelrich
Constantine	Gelber	Peaden
Crist	Haridopolos	Rich
Dean	Hill	Richter
Ring	Sobel	Villalobos
Siplin	Storms	Wilson
Smith	Thrasher	Wise

Nays—None

HB 7219—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2010 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **HB 7219** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for CS for SB 296—A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to submit on a quarterly basis deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to submit on a quarterly basis a deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; amending s. 938.27, F.S.; deleting provisions regarding the burden of establishing financial resources of the defendant; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Wise, **CS for CS for CS for SB 296** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Constantine	Gaetz
Alexander	Crist	Garcia
Altman	Dean	Gardiner
Aronberg	Detert	Gelber
Baker	Diaz de la Portilla	Haridopolos
Bennett	Dockery	Hill
Bullard	Fasano	Jones

Joyner	Peaden	Sobel
Justice	Rich	Storms
Lawson	Richter	Thrasher
Lynn	Ring	Villalobos
Negron	Siplin	Wilson
Oelrich	Smith	Wise

Nays—None

On motion by Senator Baker, by two-thirds vote **CS for CS for HB 1385** was withdrawn from the Committees on Environmental Preservation and Conservation; Transportation; and Community Affairs.

On motion by Senator Baker, by two-thirds vote—

CS for CS for HB 1385—A bill to be entitled An act relating to petroleum contamination site cleanup; amending s. 376.3071, F.S.; revising provisions relating to petroleum contamination site selection and cleanup criteria; deleting obsolete provisions relating to funding for limited interim soil-source removals; requiring the Department of Environmental Protection to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; providing for natural attenuation and active remediation of sites; requiring the department to evaluate certain costs and strategies; prohibiting local governments from denying building permits under specified conditions; providing requirements for such permits and related construction, repairs, and renovations; establishing a low-scored site initiative; providing conditions for participation; requiring the department to issue certain determinations and orders; providing that certain sites are eligible for payment of preapproved costs; requiring assessment work to be completed within a certain timeframe; providing payment and funding limitations; deleting provisions relating to nonreimbursable voluntary cleanup; requiring the installation of fuel tank upgrades to secondary containment systems to be completed by specified deadlines; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for SB 2592** and by two-thirds vote read the second time by title.

On motion by Senator Baker, by two-thirds vote **CS for CS for HB 1385** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Peaden
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Bullard	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Dean

CS for HB 83—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an Endless Summer license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for HB 83** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Aronberg	Gelber	Siplin
Baker	Haridopolos	Smith
Bennett	Hill	Sobel
Bullard	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	
Fasano	Peaden	

Nays—2

Constantine	Oelrich

Vote after roll call:

Yea to Nay—Dockery

CS for HB 7203—A bill to be entitled An act relating to community development districts; creating s. 212.0315, F.S.; authorizing certain community development districts to levy a tax on certain transactions; requiring approval by the district board of supervisors and district landowners; providing a procedure to enact the tax; providing for an effective date of the tax; providing for expiration of the tax under certain circumstances; providing definitions; specifying uses of tax proceeds; requiring prior approval by the district board for expenditures of tax proceeds; specifying tax charging and collection requirements; providing for exempting certain transactions; requiring local administration of the tax; requiring adoption of a resolution; specifying requirements for local administration; specifying that the tax constitutes a lien for certain purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for HB 7203** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—1

Storms

CS for CS for CS for CS for HB 663—A bill to be entitled An act relating to building safety; amending s. 196.031, F.S.; specifying an additional condition that constitutes an abandonment of homestead property for homestead exemption purposes; amending s. 399.02, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to have access to places in which a conveyance and equipment are located; authorizing the division to grant

variances from certain rules for undue hardship; prohibiting the enforcement of Phase II Firefighters' Service on certain elevators for a specified period; amending s. 399.15, F.S.; providing an alternative method to allow access to regional emergency elevators; providing for a uniform lock box; providing for a master key; providing the Division of State Fire Marshal with enforcement authority; creating s. 455.2122, F.S.; authorizing distance learning courses as an alternative to classroom instruction for certain licenses; prohibiting the department or regulatory board from requiring centralized licensing examinations for certain licenses; creating s. 455.2123, F.S.; authorizing distance learning courses as an alternative to classroom instruction for certain licenses; prohibiting the department or a regulatory board from requiring centralized licensing examinations for certain licenses; amending s. 468.631, F.S.; revising the amount of a surcharge and imposing the surcharge on certain building permits; requiring the unit of government collecting the surcharge to remit the funds to the Department of Business and Professional Regulation; requiring the unit of government collecting the surcharge to retain a portion of the funds to fund certain activities of building departments; requiring that the remaining funds from the surcharge be used to fund the Florida Homeowners' Construction Recovery Fund and the Florida Building Code Administrators and Inspectors Board; amending s. 468.83, F.S.; providing for the creation of the home inspection services licensing program within the Department of Business and Professional Regulation; amending s. 468.8311, F.S.; revising the term "home inspection services;" amending s. 468.8312, F.S.; deleting a fee provision for certain certificates of authorization; amending s. 468.8313, F.S.; revising examination requirements for licensure as a home inspector; providing fingerprinting requirements and procedures for license applications; providing that the applicant is responsible for certain costs; amending s. 468.8318, F.S.; revising requirements and procedures for certification of corporations and partnerships offering home inspection services to the public; deleting provisions relating to required certificates of authorization; amending s. 468.8319, F.S.; delaying the enforcement of a prohibition against performing certain activities by a person who is not licensed as a home inspector; revising certain prohibitions with respect to providers of home inspection services; amending s. 468.832, F.S.; providing an additional ground for taking certain disciplinary actions; amending s. 468.8324, F.S.; specifying additional requirements for licensure as a home inspector; creating s. 468.8325, F.S.; requiring the department to adopt rules to administer part XV of ch. 468, F.S., relating to home inspectors; amending s. 468.84, F.S.; providing for the creation of the mold-related services licensing program within the Department of Business and Professional Regulation; amending s. 468.8412, F.S.; deleting a fee provision for certain biennial certificates of authorization renewal; amending s. 468.8413, F.S.; revising examination requirements and procedures for licensure as a mold assessor or mold remediator; providing fingerprinting requirements and procedures for license applications; providing that the applicant is responsible for certain costs; amending s. 468.8414, F.S.; specifying an additional applicant qualification criterion for licensure by endorsement; amending s. 468.8418, F.S.; revising requirements and procedures for certification of corporations and partnerships offering mold assessment or mold remediation services to the public; deleting provisions relating to required certificates of authorization; amending s. 468.8419, F.S.; delaying the enforcement of a prohibition against performing certain activities by a person who is not licensed as a mold assessor; amending s. 468.842, F.S.; providing an additional ground for taking certain disciplinary actions; amending s. 468.8421, F.S.; specifying an insurance coverage requirement for mold assessors; amending s. 468.8423, F.S.; specifying additional requirements for licensure as a mold assessor or mold remediator; creating s. 468.8424, F.S.; requiring the Department of Business and Professional Regulation to adopt rules to administer part XVI of ch. 468, F.S., relating to mold-related services; amending s. 489.103, F.S.; conforming a cross-reference; amending s. 489.5335, F.S.; revising education requirements for electrical trade journeyman eligibility to work in certain localities; amending s. 553.37, F.S.; authorizing manufacturers to pay inspection fees directly to the provider of inspection services; providing requirements for rules of the Department of Business and Professional Regulation regarding the schedule of fees; authorizing the department to enter into contracts for the performance of certain administrative duties; revising inspection requirements for certain custom manufactured buildings; amending s. 553.375, F.S.; revising the requirement for recertification of manufactured buildings prior to relocation; amending s. 553.512, F.S.; requiring the Florida Building Commission to establish by rule a fee for certain waiver requests; amending s. 553.721, F.S.; revising the amount of a surcharge and imposing the surcharge on certain building permits; requiring the unit of government collecting the surcharge to electronically remit the funds to the Department of Community Affairs; requiring the unit of government collecting the surcharge to retain a portion of the funds to fund certain activities of building departments; revising requirements for use of funds collected from the surcharge; deleting obsolete language; amending s. 553.73, F.S.; conforming cross-references; authorizing counties and municipalities to adopt by ordinance administrative or technical amendments to the Florida Building Code for certain flood-related purposes; specifying requirements and procedures; revising foundation code adoption requirements; authorizing the Florida Building Commission to approve amendments relating to equivalency of standards; exempting certain mausoleums from the requirements of the Florida Building Code; exempting certain temporary housing provided by the Department of Corrections from the requirements of the Florida Building Code; restricting the code, code enforcement agencies, and local governments from imposing requirements on certain mechanical equipment on roofs; providing Florida Building Code requirements for classroom lighting; prohibiting incorporation into the Florida Building Code of certain mandatory residential fire sprinkler provisions of the International Residential Code; providing an exception; amending s. 553.74, F.S.; specifying absence of impermissible conflicts of interest for certain committee or workgroup members while representing clients under certain circumstances; specifying certain prohibited activities for such members; amending s. 553.76, F.S.; authorizing the Florida Building Commission to adopt rules related to consensus-building decisionmaking; amending s. 553.775, F.S.; conforming a cross-reference; authorizing the commission to charge a fee for filing certain requests and for nonbinding interpretations; limiting fees for nonbinding interpretations; amending s. 553.79, F.S.; requiring certain inspection services to be performed under the alternative plans review and inspection process or by a local governmental entity; reenacting s. 553.80(1), F.S., relating to the enforcement of the Florida Building Code, to incorporate the amendments made to s. 553.79, F.S., in a reference thereto; amending s. 553.80, F.S.; specifying nonapplicability of certain exemptions from the Florida Building Code granted by certain enforcement entities under certain circumstances; revising requirements for review of facility plans and construction surveyed for certain hospitals and health care facilities; amending s. 553.841, F.S.; deleting provisions requiring that the Department of Community Affairs maintain, update, develop, or cause to be developed a core curriculum for persons who enforce the Florida Building Code; amending s. 553.842, F.S.; authorizing rules requiring the payment of product evaluation fees directly to the administrator of the product evaluation and approval system; specifying the use of such fees; authorizing the Florida Building Commission to provide by rule for editorial revisions to certain approvals and charge certain fees; providing requirements for the approval of applications for state approval of a product; providing for certain approved products to be immediately added to the list of state-approved products; requiring that the commission's oversight committee review approved products; revising the list of approved evaluation entities; deleting obsolete provisions governing evaluation entities; amending s. 553.844, F.S.; providing an exemption from the requirements regarding roof and opening protections for certain exposed mechanical equipment or appliances; providing for future expiration; amending s. 553.885, F.S.; revising requirements for carbon monoxide alarms; providing an exception for buildings undergoing alterations or repairs; defining the term "addition" as it relates to the requirement of a carbon monoxide alarm; amending s. 553.9061, F.S.; revising the energy-efficiency performance options and elements identified by the commission for purposes of meeting certain goals; amending s. 553.909, F.S.; revising a compliance criterion for certain swimming pool pumps or water heaters; revising requirements for residential swimming pool pumps and pump motors; amending s. 553.912, F.S.; providing requirements for replacement air-conditioning systems; amending s. 627.711, F.S.; conforming provisions to changes made by the act in which core curriculum courses relating to the Florida Building Code are deleted; revising the list of persons qualified to sign certain mitigation verification forms for certain purposes; authorizing insurers to accept forms from certain other persons; providing requirements for persons authorized to sign mitigation forms; prohibiting misconduct in performing hurricane mitigation inspection or completing uniform mitigation forms causing certain harm; specifying what constitutes misconduct; authorizing certain licensing boards to commence disciplinary proceedings and impose administrative fines and sanctions; providing for liability of mitigation inspectors; requiring certain entities to file reports of evidence of fraud; providing for immunity from liability for reporting fraud; providing for investigative reports from the Division of Insurance Fraud; providing penalties; authorizing insurers to require independent verification of uniform mitigation verification forms; amending s. 633.021, F.S.; providing additional definitions for fire equipment dealers; revising the definition of the term "preengineered

systems;" amending s. 633.0215, F.S.; providing guidelines for the State Fire Marshal to apply when issuing an expedited declaratory statement; requiring that the State Fire Marshal issue an expedited declaratory statement under certain circumstances; providing requirements for a petition requesting an expedited declaratory statement; exempting certain condominiums from installing manual fire alarm systems; amending s. 633.0245, F.S.; conforming cross-references; amending s. 633.025, F.S.; prohibiting requiring property owners to install fire sprinklers in certain residential property; amending s. 633.026, F.S.; providing legislative intent; revising authority of the State Fire Marshal to contract with and refer interpretive issues to certain entities; providing for the establishment of the Fire Code Interpretation Committee; providing for the membership of the committee and requirements for membership; requiring that nonbinding interpretations of the Florida Fire Prevention Code be issued within a specified period after a request is received; providing for the waiver of such requirement under certain conditions; requiring that the Division of State Fire Marshal charge a fee for nonbinding interpretations; providing that fees may be paid directly to a contract provider; providing requirements for requesting a nonbinding interpretation; requiring that the Division of State Fire Marshal develop a form for submitting a petition for a nonbinding interpretation; providing for a formal interpretation by the State Fire Marshal; requiring that an interpretation of the Florida Fire Prevention Code be published on the division's website and in the Florida Administrative Weekly; amending s. 633.061, F.S.; authorizing certain fire equipment dealer licensees to maintain inactive license status under certain circumstances; providing requirements; providing for a renewal fee; revising certain continuing education requirements; revising an applicant licensure qualification requirement; amending s. 633.081, F.S.; requiring that the State Fire Marshal inspect a building when the State Fire Marshal, rather than the Department of Financial Services, has cause to believe a violation has occurred; providing exceptions for requirements that certain firesafety inspections be conducted by firesafety inspectors; requiring that the Division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board enter into a reciprocity agreement for purposes of recertifying building code inspectors, plan inspectors, building code administrators, and firesafety inspectors; requiring that the State Fire Marshal develop by rule an advanced training and certification program for firesafety inspectors who have fire code management responsibilities; requiring that the program be consistent with certain standards and establish minimum training, education, and experience levels for such firesafety inspectors; amending s. 633.082, F.S.; authorizing alternative inspection procedures for certain fire hydrants; requiring periodic testing or operation of certain equipment; providing that nonmandated sprinkler systems may not be required to be removed; amending s. 633.352, F.S.; providing an exception to requirements for recertification as a firefighter; amending s. 633.521, F.S.; revising requirements for certification as a fire protection system contractor; revising the prerequisites for taking the certification examination; authorizing the State Fire Marshal to accept more than one source of professional certification; revising legislative intent; amending s. 633.524, F.S.; authorizing the State Fire Marshal to enter into contracts for examination services; providing for the direct payment of examination fees to contract providers; amending s. 633.537, F.S.; revising the continuing education requirements for certain permitholders; amending 633.72, F.S.; revising the terms of service for members of the Fire Code Advisory Council; repealing s. 718.113(6), F.S., relating to requirements for 5-year inspections of certain condominium improvements; directing the Florida Building Commission to conform provisions of the Florida Building Code with revisions made by the act relating to the operation of elevators; requiring the Department of Management Services to consider the energy efficiency of building materials used for certain purposes in state buildings or facilities; requiring the department to adopt rules relating to installing high-efficiency replacement lamps in buildings owned by a state agency; providing effective dates.

—was read the third time by title.

On motion by Senator Bennett, **CS for CS for CS for CS for HB 663** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bullard	Dockery
Alexander	Constantine	Fasano
Altman	Crist	Gaetz
Aronberg	Dean	Garcia
Baker	Detert	Gardiner
Bennett	Diaz de la Portilla	Gelber
Haridopolos	Negron	Smith
Hill	Oelrich	Sobel
Jones	Peaden	Storms
Joyner	Rich	Thrasher
Justice	Richter	Villalobos
Lawson	Ring	Wilson
Lynn	Siplin	Wise

Nays—None

Consideration of **CS for CS for HB 869** and **CS for CS for HB 945** was deferred.

CS for HB 1253—A bill to be entitled An act relating to continuing care facilities; amending s. 651.011, F.S.; revising definitions relating to ch. 651, F.S.; amending s. 651.012, F.S.; conforming cross-references; amending s. 651.022, F.S.; increasing the threshold amount for businesses that must be identified in an application for a provisional certificate of authority; adding wait-list contracts to the forms that must be submitted with the application; amending s. 651.0235, F.S.; conforming provisions to changes made by the act; amending s. 651.026, F.S.; revising the financial information that must be submitted annually for each certified facility; requiring the annual report to reflect any changes in accounting principle terminology; amending s. 651.033, F.S.; authorizing a provider to assess a separate, nonrefundable fee for processing an application for continuing care; amending s. 651.035, F.S.; clarifying that the amounts maintained in escrow relating to taxes refer to property taxes; deleting an obsolete provision; amending s. 651.055, F.S.; providing that a resident is deemed to be occupying a unit upon the payment of certain fees; providing a timeframe for rescinding a contract; increasing the application processing fee; conforming provisions to changes made by the act; amending s. 651.081, F.S.; renaming residents' organizations as residents' councils; requiring the provider to provide a newly elected chair of a council with a copy of ch. 651, F.S., and related rules; amending s. 651.083, F.S.; clarifying that a resident has a right to receive residents' council memos and announcements; prohibiting a provider from restricting a resident's access to the council; amending s. 651.085, F.S.; requiring the provider to provide the reasons for increasing the maintenance fee to the chair of the residents' council; allowing a designated representative to represent the provider at meetings; amending s. 651.091, F.S.; specifying that a management company or operator is an agent of the provider for the purposes of disclosing certain information to residents; expanding the list of items that must be provided to the chair of the residents' council; requiring the provider to provide a copy of s. 651.071, F.S., relating to receivership or liquidation, to all prospective residents; amending s. 651.105, F.S.; increasing the required time period for examinations for certain providers; requiring the office to determine if all disclosures have been made to the chair of the residents' council; amending ss. 651.114 and 651.1151, F.S.; conforming provisions to changes made by the act; amending s. 651.121, F.S.; conforming provisions to changes made by the act; requiring the chair of the Continuing Care Advisory Council to report the council's findings and recommendations to the Governor and the Commissioner of Insurance Regulation; requiring the office to provide certain information to the council; repealing s. 651.133, F.S., relating to provisional certificates under prior law; amending s. 628.4615, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 1253** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Diaz de la Portilla	Joyner
Altman	Dockery	Justice
Aronberg	Fasano	Lawson
Baker	Gaetz	Lynn
Bennett	Garcia	Negron
Bullard	Gardiner	Oelrich
Constantine	Gelber	Peaden
Crist	Haridopolos	Rich
Dean	Hill	Richter
Detert	Jones	Ring

Siplin	Storms	Wilson
Smith	Thrasher	Wise
Sobel	Villalobos	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for HB 7205—A bill to be entitled An act relating to professional sports franchises; amending ss. 14.2015, 212.20, and 218.64, F.S., relating to the Office of Tourism, Trade, and Economic Development, the distribution of certain tax proceeds, and the allocation of a portion of the local government half-cent sales tax; conforming provisions to changes made by the act; conforming cross-references; amending s. 288.1162, F.S.; deleting provisions relating to the certification and funding of facilities for spring training baseball franchises; authorizing the Auditor General to conduct audits to verify whether certain funds for professional sports franchises are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; creating s. 288.11621, F.S.; authorizing certain units of local government to apply for certification to receive state funding for a facility for a spring training franchise; providing definitions; providing eligibility requirements; providing criteria to competitively evaluate applications for certification; requiring a certified applicant to use the funds awarded for specified public purposes and place unexpended funds in a trust fund or separate account; authorizing a certified applicant to request a suspension of the distribution of funds for a specified period under certain circumstances; requiring the expenditure of funds by certain certified applicants within a specified period; requiring the completion of certain spring training facility projects within a specified period; requiring certified applicants to submit annual reports to the Office of Tourism, Trade, and Economic Development; requiring the office to decertify applicants under certain circumstances; providing for delay in decertification proceedings for local governments certified before a specified date under certain circumstances; providing for review of the office's notice of intent to decertify an applicant; requiring an applicant to repay unencumbered state funds and interest after decertification; specifying circumstances under which a certified applicant that is a local government may not be decertified under certain circumstances; requiring the office to develop a strategic plan relating to baseball spring training activities; requiring the office to adopt rules; authorizing the Auditor General to conduct audits to verify whether certified funds for baseball spring training facilities are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; amending s. 288.1229, F.S.; providing that the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist in the retention of professional sports franchises; recognizing the validity of specified agreements under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 7205** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—1

Storms

CS for SJR 1254—A joint resolution proposing an amendment to Sections 4 and 6 of Article VII and the creation of Sections 31, 32, and 33 of Article XII of the State Constitution to reduce from 10 percent to 5 percent the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for new owners of homestead property and application and limitations with respect thereto, and provide an effective date.

—as amended April 29 was read the third time by title.

Senator Fasano moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (496282)—Delete line 332 and insert: the first year for all levies other than school district levies, limited to $200,000; applies the additional

On motion by Senator Fasano, further consideration of **CS for SJR 1254** as amended was deferred.

CS for CS for HB 945—A bill to be entitled An act relating to automated external defibrillators in assisted living facilities; amending s. 429.255, F.S.; requiring certain assisted living facilities to possess a functioning automated external defibrillator; encouraging an assisted living facility to register the location of the automated external defibrillator with a local emergency medical services medical director; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Department of Elderly Affairs to adopt rules relating to the use of automated external defibrillators; providing appropriations; providing effective dates.

—was read the third time by title.

POINT OF ORDER

Senator Alexander raised a point of order that pursuant to Rule 4.8 the bill should be referred to the Policy and Steering Committee on Ways and Means.

The President referred the point of order and the bill to Senator Villalobos, Chair of the Committee on Rules.

On motion by Senator Fasano, further consideration of **CS for CS for HB 945** with pending point of order was deferred.

Consideration of **CS for CS for CS for SB 2138** was deferred.

The Senate resumed consideration of—

CS for HB 7179—A bill to be entitled An act relating to qualifying improvements to real property; creating s. 163.08, F.S.; providing legislative purposes and findings and intent; providing definitions; authorizing a local government to levy non-ad valorem assessments to fund certain improvements; authorizing a property owner to apply for funding and enter into a financing agreement with a local government to finance certain improvements; authorizing a local government to collect moneys for such purposes through non-ad valorem assessments; providing collection requirements; authorizing local governments to partner with other local governments to provide and finance certain improvements; authorizing a qualifying improvement program to be administered by a for-profit entity or not-for-profit organization under certain circumstances; authorizing a local government to incur debt payable from revenues received from the improved property; providing a financing restriction for local governments; requiring a financial agreement to be recorded in a county's public records within 5 days after execution of the agreement; specifying responsibilities for local governments before entering into financing agreements; requiring qualifying improvements to be affixed to a building or facility on the property and be performed by a properly certified or registered contractor; excluding certain projects

from financing agreement coverage; limiting the amount of the non-ad valorem assessment to a percentage of the just value of the property; providing exceptions; specifying information provision requirements for property owners before entering into financing agreements; prohibiting acceleration of a mortgage under certain circumstances; providing assessment disclosure requirements; specifying unenforceability of certain agreement provisions; providing construction preserving a local government's home rule authority; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 4 (833556)** by Senator Fasano was withdrawn.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment:

Amendment 5 (629190) (with title amendment)—Between lines 251 and 252 insert:

Section 2. Subsection (4) of section 366.92, Florida Statutes, is amended to read:

366.92 Florida renewable energy policy.—

(4) *The commission shall provide for full cost recovery under the environmental cost-recovery clause of all reasonable and prudent costs incurred by a provider for the production or purchase of renewable energy up to a total of 125 megawatts statewide. Such costs shall be deemed reasonable and prudent for purposes of cost recovery so long as the provider has used reasonable and customary industry practices in the design, procurement, and construction of the project in a cost-effective manner appropriate to the location of the facility. To obtain cost recovery pursuant to this section, a provider must file for cost recovery no later than July 1, 2011.* ~~In order to demonstrate the feasibility and viability of clean energy systems, the commission shall provide for full cost recovery under the environmental cost recovery clause of all reasonable and prudent costs incurred by a provider for renewable energy projects that are zero greenhouse gas emitting at the point of generation, up to a total of 110 megawatts statewide, and for which the provider has secured necessary land, zoning permits, and transmission rights within the state. Such costs shall be deemed reasonable and prudent for purposes of cost recovery so long as the provider has used reasonable and customary industry practices in the design, procurement, and construction of the project in a cost effective manner appropriate to the location of the facility. The provider shall report to the commission as part of the cost-recovery proceedings the construction costs, in-service costs, operating and maintenance costs, hourly energy production of the renewable energy project, and any other information deemed relevant by the commission. Any provider constructing a clean energy facility pursuant to this section shall file for cost recovery no later than July 1, 2009.~~

And the title is amended as follows:

Delete lines 2-36 and insert: An act relating to energy; creating s. 163.08, F.S.; providing legislative purposes and findings and intent; providing definitions; authorizing a local government to levy non-ad valorem assessments to fund certain improvements; authorizing a property owner to apply for funding and enter into a financing agreement with a local government to finance certain improvements; authorizing a local government to collect moneys for such purposes through non-ad valorem assessments; providing collection requirements; authorizing local governments to partner with other local governments to provide and finance certain improvements; authorizing a qualifying improvement program to be administered by a for-profit entity or not-for-profit organization under certain circumstances; authorizing a local government to incur debt payable from revenues received from the improved property; providing a financing restriction for local governments; requiring a financial agreement to be recorded in a county's public records within 5 days after execution of the agreement; specifying responsibilities for local governments before entering into financing agreements; requiring qualifying improvements to be affixed to a building or facility on the property and be performed by a properly certified or registered contractor; excluding certain projects from financing agreement coverage; limiting the amount of the non-ad valorem assessment to a percentage of the just value of the property; providing exceptions; specifying information provision requirements for property owners before entering into financing agreements; prohibiting acceleration of a mortgage under certain circumstances; providing assessment disclosure requirements; specifying unenforceability of certain agreement provisions; providing construction preserving a local government's home rule authority; amending s. 366.92, F.S.; providing for cost recovery for renewable energy; providing an effective date.

On motion by Senator Bennett, further consideration of **CS for HB 7179** as amended with pending **Amendment 5 (629190)** was deferred.

SENATOR VILLALOBOS PRESIDING

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1510

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
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 1510, same being:

An act relating to Department of Citrus.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (481244) to CS for SB 1510 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Ralph Poppell
Chair
s/ Gary Aubuchon, At Large
Ellyn Setnor Bogdanoff
At Large
s/ Steve Crisafulli
Joseph A. "Joe" Gibbons
At Large
s/ Scott Plakon
s/ Ron Reagan, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Trudi K. Williams

s/ David Rivera
Council Chair
Leonard L. Bembry
Debbie Boyd
Mary Brandenburg
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Carlos Lopez-Cantera, At Large
s/ Stephen L. Precourt
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 1510, relating to the Department of Citrus, revises the location of the executive offices. The 2009-2010 General Appropriations Act directed the department to relocate its executive office from Lakeland, Florida, to the Bob Crawford Building in Bartow, Florida. This relocation occurred in February 2010.

Conference Committee Amendment (481244)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 601.07, Florida Statutes, is amended to read:

601.07 Location of executive offices.—The executive offices of the Department of Citrus shall be established and maintained at *Bartow* ~~Lakeland~~.

Section 2. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Citrus; amending s. 601.07, F.S.; revising the location of the executive offices of the Department of Citrus; providing an effective date.

On motion by Senator Baker, the Conference Committee Report on **CS for SB 1510** was adopted. **CS for SB 1510** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1514

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 1514, same being:

An act relating to Recreational Licenses.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (243180) to CS for SB 1514 attached hereto, and by reference made a part of this report.

JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
s/ Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Ralph Poppell
Chair
s/ Gary Aubuchon, At Large
Ellyn Setnor Bogdanoff
At Large
s/ Steve Crisafulli
Joseph A. "Joe" Gibbons
At Large
s/ Scott Plakon
s/ Ron Reagan, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Trudi K. Williams

s/ David Rivera
Council Chair
Leonard L. Bembry
Debbie Boyd
Mary Brandenburg
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
Carlos Lopez-Cantera, At Large
s/ Stephen L. Precourt
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 1514, relating to recreational licenses, eliminates the $7.50 fee for shoreline fishing licenses fee and retains the 50-cent compensation to subagents for services. Chapter 2009-65, Laws of Florida, repealed the exemption that allowed Florida resident anglers to fish from the saltwater shoreline or from a structure fixed to the land without a saltwater fishing license and established a $7.50 fee for a shoreline license. This amendment requires Florida resident anglers to continue to register with the Fish and Wildlife Conservation Commission according to federal requirements; however, the $7.50 assessment is eliminated.

Conference Committee Amendment (243180)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (e) of subsection (1) of section 379.3511, Florida Statutes, is amended to read:

379.3511 Appointment of subagents for the sale of hunting, fishing, and trapping licenses and permits.—

(1) Subagents shall serve at the pleasure of the commission. The commission may establish, by rule, procedures for the selection and appointment of subagents. The following are requirements for subagents so appointed:

(e) A subagent may charge and receive as his or her compensation 50 cents for each license or permit sold. This charge is in addition to the sum required by law to be collected for the sale and issuance of each license or permit. *This charge does not apply to the shoreline fishing license; however, for each shoreline fishing license issued, the subagent*

may retain 50 cents from other license proceeds otherwise due the commission.

Section 2. Subsection (5) of section 379.352, Florida Statutes, is amended to read:

379.352 Recreational licenses, permits, and authorization numbers to take wild animal life, freshwater aquatic life, and marine life; issuance; costs; reporting.—

(5) In addition to any license or permit fee, the sum of $1.50 shall be charged for each license or management area permit, except for replacement licenses, to cover the cost of issuing such license or permit. *This charge does not apply to the shoreline fishing license; however, for each shoreline fishing license issued, the tax collector may retain 50 cents from other license proceeds otherwise due the commission.*

Section 3. Paragraph (k) of subsection (4) of section 379.354, Florida Statutes, is amended to read:

379.354 Recreational licenses, permits, and authorization numbers; fees established.—

(4) RESIDENT HUNTING AND FISHING LICENSES.—The licenses and fees for residents participating in hunting and fishing activities in this state are as follows:

(k) ~~Annual resident shoreline fishing license, $7.50.~~ *An* ~~The~~ annual resident shoreline fishing license *shall be issued without a fee to allow* ~~allows~~ any resident to saltwater fish from land or from a structure fixed to the land. This license is not required for any resident issued any other license identified in this section *which* ~~that~~ allows the taking of saltwater fish.

Section 4. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to recreational licenses; amending ss. 379.3511 and 379.352, F.S.; exempting the shoreline fishing license from a charge imposed to compensate the subagent or tax collector issuing the license; authorizing the subagent or tax collector to retain a portion of certain other license proceeds; amending s. 379.354, F.S.; removing the fee for an annual resident shoreline fishing license; providing an effective date.

On motion by Senator Baker, the Conference Committee Report on **CS for SB 1514** was adopted. **CS for SB 1514** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1516

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1516, same being:

An act relating to state-owned lands.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (179258) to CS for CS for SB 1516, attached hereto, and by reference made a part of this report.

JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Ralph Poppell
Chair
s/ Gary Aubuchon, At Large
Ellyn Setnor Bogdanoff
At Large
s/ Steve Crisafulli
Joseph A. "Joe" Gibbons
At Large
s/ Scott Plakon
s/ Ron Reagan, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Trudi K. Williams

s/ David Rivera
Council Chair
Leonard L. Bembry
Debbie Boyd
Mary Brandenburg
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
Carlos Lopez-Cantera, At Large
s/ Stephen L. Precourt
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for CS for SB 1516, relating to state-owned lands, provides for the following:

- Authorizes the Department of Environmental Protection (DEP) to create and maintain a comprehensive state-owned real property database that includes an accurate inventory of all real property leased, owned, rented, and otherwise occupied or managed by the state, the judicial branch, and water management districts.

- Requires an inventory of state-owned facilities and directs all state agencies to report certain data annually to the Department of Management Services (DMS).

• By September 30 of each year, the Department of Revenue (DOR) is directed to electronically furnish to the Board of Trustees of the Internal Improvement Trust Fund (BOT) the approved preliminary tax roll data for public lands for use in compiling inventory data.

• Provides for the implementation of the comprehensive state-owned real property system. Directs the DEP to submit an updated feasibility study for the Lands Inventory Tracking System, to include in its scope the comprehensive state-owned system, by November 1, 2010.

• Requires the DEP to implement a project governance structure with an executive steering committee comprised of the secretary of the DEP, the executive directors of DMS, DOR, and the Agency for Enterprise Information, the state Chief Financial Officer, and property appraiser representatives.

• Directs the executive steering committee to complete a business process analysis and documentation of both the detailed system requirements and the overall system architecture. The business process analysis is due by February 1, 2011, to the Governor and the Legislature.

• By October 1 of each year, the amendment directs the DEP to submit a report that lists state-owned real property recommended for disposition to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Prior to disposition, a state-owned building or parcel of land shall first be offered for lease to state agencies, state universities, and community colleges.

• Directs the BOT to transfer the lease interests relating to G. Pierce Wood Hospital to the University of South Florida Polytechnic and requires the university to honor all current leases and subleases.

• Provides an appropriation of $320,000 to the DEP for the comprehensive state-owned real property system.

Conference Committee Amendment (179258)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 193.023, Florida Statutes, is amended to read:

193.023 Duties of the property appraiser in making assessments.—

(2) In making his or her assessment of the value of real property, the property appraiser is required to physically inspect the property at least once every 5 years. Where geographically suitable, and at the discretion of the property appraiser, the property appraiser may use image technology in lieu of physical inspection to ensure that the tax roll meets all the requirements of law. The Department of Revenue shall establish minimum standards for the use of image technology consistent with standards developed by professionally recognized sources for mass appraisal of real property. However, the property appraiser shall physically inspect any parcel of taxable *or state-owned* real property upon the request of the taxpayer or owner.

Section 2. Paragraph (a) of subsection (3) of section 193.085, Florida Statutes, is amended to read:

193.085 Listing all property.—

(3)(a) ~~The department will coordinate with all other departments of state government to ensure that the several property appraisers are properly notified annually of state ownership of real property. The department shall promulgate regulations to ensure that~~ All forms of local government, special taxing districts, multicounty districts, and municipalities *shall provide written annual notification to* ~~properly notify annually~~ the several property appraisers of any and all real property owned by any of them so that ownership of all such property will be properly listed.

Section 3. Paragraph (z) is added to subsection (8) of section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(z) Information relative to ss. 253.03(8) and 253.0325 to the Department of Environmental Protection 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 4. Section 216.0152, Florida Statutes, is amended to read:

216.0152 Inventory of state-owned facilities or state-occupied facilities.—

(1) The Department of Management Services shall develop and maintain an automated inventory of all facilities owned, leased, rented, or otherwise occupied or maintained by any agency of the state*,* ~~or by~~ the judicial branch*, or the water management districts*~~, except those with less than 3,000 square feet~~. The inventory *data shall be provided by the owning or operating agency and* shall include the location, occupying agency, ownership, size, condition assessment, *valuations, operating costs,* maintenance record, age, parking and employee facilities, *building uses, full-time equivalent occupancy, known restrictions or historic designations, leases or subleases, associated revenues,* and other information as required *in a rule adopted* by the department*. The department shall use this data* for determining maintenance needs*, conducting strategic analyses, including, but not limited to, analyzing and identifying candidates for surplus, valuation, and disposition,* and life-cycle cost evaluations of the facility. *Inventory data shall be provided to the department on or before July 1 of each year by the owning or operating agency in a format prescribed by the department.* The inventory need not include a condition assessment or maintenance record of facilities not owned by a state agency*,* ~~or by~~ the judicial branch*, or a water management district*. The term "facility," as used in this section, means buildings, structures, and building systems, but does not include transportation facilities of the state transportation system. *For reporting purposes,* the Department of Transportation shall develop and maintain an inventory of transportation facilities of the state transportation system. *The Department of Transportation shall also identify and dispose of surplus property pursuant to ss. 337.25 and 339.04.* The Board of Governors of the State University System and the Department of Education, respectively, shall develop and maintain an inventory, in the manner prescribed by the Department of Management Services, of all state university and community college facilities and shall make the data available in a format acceptable to the Department of Management Services. *By March 15, 2011, the department shall adopt rules pursuant to ss. 120.536 and 120.54 to administer this section.*

(2) *For the purpose of assessing needed repairs and renovations of facilities,* the Department of Management Services shall update its inventory *with condition information for facilities of 3,000 square feet or more* and cause to be updated the other inventories required by subsection (1) at least once every 5 years, but the inventories shall record acquisitions of new facilities and significant changes in existing facilities as they occur. The Department of Management Services shall provide each agency and the judicial branch with the most recent inventory applicable to that agency or to the judicial branch. Each agency and the judicial branch shall, in the manner prescribed by the Department of Management Services, report significant changes in the inventory as they occur. Items relating to the condition and life-cycle cost of a facility shall be updated at least every 5 years.

(3) The Department of Management Services shall, every 3 years, publish a complete report detailing this inventory and shall publish an annual update of the report. The department shall furnish the updated report to the Executive Office of the Governor and the Legislature no later than September 15 of each year.

Section 5. Section 216.0153, Florida Statutes, is created to read:

216.0153 Comprehensive state-owned real property system.—Whereas, the Legislature finds that it is in the best interest of the state to identify surplus property and dispose of such property owned by the state that is unnecessary to achieving the state's responsibilities, that may cost

more to maintain than the revenue generated, that does not serve any public purpose, or from which the state may derive a substantially similar public purpose under private ownership.

(1) The Department of Environmental Protection shall create, administer, and maintain a comprehensive system for all state lands and real property leased, owned, rented, and otherwise occupied or maintained by any state agency, by the judicial branch, and by any water management district. The comprehensive state-owned real property system shall allow the Board of Trustees of the Internal Improvement Trust Fund to perform its statutory responsibilities and the Division of State Lands in the Department of Environmental Protection to conduct strategic analyses and prepare annual valuation and disposition analyses and recommendations for all state real property assets.

(a) The comprehensive state-owned real property system must contain a database that includes an accurate inventory of all real property that is leased, owned, rented, occupied, or managed by the state, the judicial branch, or the water management districts.

(b) The Division of State Lands in the Department of Environmental Protection shall be the statewide custodian of the real property information and shall be accountable for its accuracy.

(c) All state agencies and water management districts shall enter required real property information in the comprehensive system according to standards published by the Division of State Lands.

(2) The comprehensive state-owned real property system must accomplish the following objectives:

(a) Eliminate the need for redundant state real property information collection processes and state agency information systems.

(b) Reduce the need to lease or acquire additional real property as a result of an annual surplus valuation, utilization, and disposition analysis.

(c) Enable regional planning as a tool for cost-effective buy, sell, and lease decisions.

(d) Increase state revenues and maximize operational efficiencies by annually identifying those state-owned real properties that are the best candidates for surplus or disposition.

(e) Ensure all state real property is identified by collaborating and integrating with the Department of Revenue data as submitted by the county property appraisers.

(f) Implement required functionality and processes for state agencies to electronically submit all applicable real property information using a web browser application.

(3) By October 1, 2010, and annually thereafter, the Division of State Lands in the Department of Environmental Protection shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that lists the state-owned real property recommended for disposition, including a report by the Department of Management Services of surplus buildings recommended for disposition. The report shall include specific information that documents the valuation and analysis process used to identify the specific state-owned real property recommended for disposition.

Section 6. Subsection (8) of section 253.03, Florida Statutes, is amended to read:

253.03 Board of trustees to administer state lands; lands enumerated.—

(8)(a) The Board of Trustees of the Internal Improvement Trust Fund shall prepare, using tax roll data provided by the Department of Revenue, *or the county property appraisers,* an annual inventory of all publicly owned lands within the state. Such inventory shall include all lands owned by any unit of state government or local government; by the Federal Government, to the greatest extent possible; and by any other public entity. ~~The board shall submit a summary report of the inventory and a list of major discrepancies between the inventory and the tax roll data to the President of the Senate and the Speaker of the House of Representatives on or before March 1 of each year.~~

(b) In addition to any other parcel data available, the inventory shall include a legal description or proper reference thereto, the number of acres or square feet within the boundaries, and the assessed value of all publicly owned uplands. To the greatest extent practicable, the legal description or proper reference thereto and the number of acres or square feet shall be determined for all publicly owned submerged lands. For the purposes of this subsection, the term "submerged lands" means publicly owned lands below the ordinary high-water mark of fresh waters and below the mean high-water line of salt waters extending seaward to the outer jurisdiction of the state. ~~By October 31 of each year, the Department of Revenue shall furnish, in machine-readable form, annual, current tax roll data for public lands to the board to be used in compiling the inventory.~~

(c) By *September 30 of each year, the Department of Revenue shall furnish to the board, in electronic form, the approved preliminary tax roll data for public lands to be used in compiling the inventory. By November 30* ~~December 31~~ of each year, the board shall prepare and provide to each state agency and local government and any other public entity which holds title to real property, including any water management district, drainage district, navigation district, or special taxing district, a list of the real property owned by such entity, required to be listed on county assessment rolls, using tax roll data provided by the Department of Revenue. By *January* ~~March~~ 31 of the following year, each such entity shall review its list and inform the appropriate property appraiser *and the board* of any corrections to the list. The *appropriate county property appraiser* ~~Department of Revenue~~ shall *enter* ~~provide for entering~~ such corrections on the appropriate county tax roll.

(d) Whenever real property is listed on the real property assessment rolls of the respective counties in the name of the State of Florida or any of its agencies, the listing shall not be changed in the absence of a recorded deed executed by the State of Florida or the state agency in whose name the property is listed. If, in preparing the assessment rolls, the ~~several~~ property appraisers within the state become aware of the existence of a recorded deed not executed by the state and purporting to convey real property listed on the assessment rolls as state-owned, the property appraiser shall immediately forward a copy of the recorded deed to the state agency in whose name the property is listed.

(e) The board shall use tax roll data, which shall be provided by the Department of Revenue, to assist in the identification and confirmation of publicly held lands. Lands that are held by the state or a water management district and lands that are purchased by the state, a state agency, or a water management district and that are deemed not essential or necessary for conservation purposes are subject to review for surplus sale.

Section 7. Subsections (8) and (16) of section 253.034, Florida Statutes, are amended, and subsection (17) is added to that section, to read:

253.034 State-owned lands; uses.—

(8)(a) ~~Notwithstanding other provisions of this section, the Division of State Lands is directed to prepare a state inventory of all federal lands and all lands titled in the name of the state, a state agency, a water management district, or a local government on a county by county basis. To facilitate the development of the state inventory, each county shall direct the appropriate county office with authority over the information to provide the division with a county inventory of all lands identified as federal lands and lands titled in the name of the state, a state agency, a water management district, or a local government.~~ The Legislature recognizes the value of the state's conservation lands as water recharge areas and air filters and, in an effort to better understand the scientific underpinnings of carbon sequestration, carbon capture, and greenhouse gas mitigation, to inform policymakers and decisionmakers, and to provide the infrastructure for landowners, the Division of State Lands shall contract with an organization experienced and specialized in carbon sinks and emission budgets to conduct an inventory of all lands that were acquired pursuant to Preservation 2000 and Florida Forever and that were titled in the name of the Board of Trustees of the Internal Improvement Trust Fund. The inventory shall determine the value of carbon capture and carbon sequestration. Such inventory shall consider potential carbon offset values of changes in land management practices, including, but not limited to, replanting of trees, routine prescribed burns, and land use conversion. Such an inventory shall be completed and presented to the board of trustees by July 1, 2009.

~~(b) The state inventory must distinguish between lands purchased by the state or a water management district as part of a core parcel or within original project boundaries, as those terms are used to meet the surplus requirements of subsection (6), and lands purchased by the state, a state agency, or a water management district which are not essential or necessary for conservation purposes.~~

~~(c) In any county having a population of 75,000 or fewer, or a county having a population of 100,000 or fewer which is contiguous to a county having a population of 75,000 or fewer, in which more than 50 percent of the lands within the county boundary are federal lands and lands titled in the name of the state, a state agency, a water management district, or a local government, those lands titled in the name of the state or a state agency which are not essential or necessary to meet conservation purposes may, upon request of a public or private entity, be made available for purchase through the state's surplusing process. Rights of way for existing, proposed, or anticipated transportation facilities are exempt from the requirements of this paragraph. Priority consideration shall be given to buyers, public or private, willing to return the property to productive use so long as the property can be reentered onto the county ad valorem tax roll. Property acquired with matching funds from a local government shall not be made available for purchase without the consent of the local government.~~

(b)~~(d)~~ If state-owned lands are subject to annexation procedures, the Division of State Lands must notify the county legislative delegation of the county in which the land is located.

(16) Before a building or parcel of land is offered for lease, sublease, or sale to a local or federal unit of government or a private party, it shall first be offered for lease to state agencies*,* ~~and~~ state universities, *and community colleges,* with priority consideration given to state universities *and community colleges. A state university or community college must submit a plan for review and approval by the Board of Trustees of the Internal Improvement Trust Fund regarding the intended use of the building or parcel of land before approval of a lease.*

(17) Notwithstanding subsection (16), the Board of Trustees of the Internal Improvement Trust Fund shall transfer all lease interests in lands on which the G. Pierce Wood Hospital is located to the University of South Florida Polytechnic. Included in this transfer shall be any existing subleases. The University of South Florida Polytechnic shall honor the terms and conditions of all current leases and subleases. Current lessees may elect to terminate their leases. This subsection expires July 1, 2012.

Section 8. *Implementation of the comprehensive state-owned real property system.—*

(1) The development of the comprehensive state-owned real property system must be composed of the following implementation timeframes and initial deliverables:

(a) By November 1, 2010, the Department of Environmental Protection shall submit an updated feasibility study for the Lands Inventory Tracking System, which shall include in its scope the comprehensive state-owned real property system. The feasibility study shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(b) By February 1, 2011, the executive steering committee shall complete the business process analysis and documentation of both the detailed system requirements and the overall system architecture and submit this information to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) By March 1, 2011, the facility inventory components of the comprehensive state-owned real property system must be fully operational.

(d) By September 1, 2012, the remaining real property and land inventory components of the comprehensive state-owned real property system must be fully operational.

(e) Within 12 months after the comprehensive system becomes operational, state agencies shall retire any real property databases or systems that duplicate the functionality or capability of the comprehensive system unless such systems are specifically required by law.

(2) The Department of Environmental Protection shall implement the project governance structure until such time as the comprehensive state-owned real property system is successfully completed, suspended, or terminated.

(3) The project sponsor for the comprehensive state-owned real property system is the Secretary of Environmental Protection or an appointed designee.

(4) The project shall be governed by an executive steering committee composed of the following voting members or their designees:

(a) The Secretary of Environmental Protection, who shall serve as chair of the committee.

(b) The executive director or secretary of the Department of Management Services.

(c) The executive director of the Department of Revenue.

(d) The Chief Financial Officer.

(e) A property appraiser appointed by the Florida Association of Property Appraisers, Inc.

(f) A property appraiser appointed by the Property Appraisers' Association of Florida, Inc.

(g) The executive director of the Agency for Enterprise Information Technology.

(5) The executive steering committee shall take action by majority vote of its members and has the overall management responsibility for ensuring that the system meets the main business objectives identified in s. 216.0153(2), Florida Statutes. The executive steering committee is specifically responsible for:

(a) Providing management direction and support to the project management team.

(b) Reviewing, approving, or disapproving project deliverables and any changes to the project's scope, schedule, or costs.

(c) Preparing an update to the feasibility study for the Lands Inventory Tracking System, including the scope of the real property system. The feasibility study shall include, but need not be limited to, a description of the overall scope of the comprehensive state-owned real property system. In determining the overall scope, the study shall address whether a single, comprehensive database of state-owned real property should replace existing real property databases and whether the comprehensive real property system should accept data from and send data to existing databases. The feasibility study update shall comply with the Schedule IV-B guidelines for the 2010-2011 fiscal year, published by the Technology Review Workgroup pursuant to s. 216.023, Florida Statutes.

1. At a minimum, the following database systems shall be included in this review and analysis:

a. The Public Lands Inventory of the Department of Environmental Protection, the statewide public lands inventory, the Board of Trustees Land Document Systems, and the Lands Information Tracking System.

b. The property tax rolls of the Department of Revenue.

c. The state facilities inventory of the Department of Management Services.

d. The risk management database of the Department of Financial Services.

2. Further functions must include:

a. Identification of the role and responsibilities of the county property appraisers in a comprehensive system of state-owned real property which includes the integration of their real property data.

b. A description of the methods for maintaining and updating the system and conducting strategic analyses, including valuation and real property surplus or disposition analysis.

c. Specifications describing all functional and technical requirements of the comprehensive system.

d. Reliable estimates of the initial and ongoing state and local effort required to implement the comprehensive system of state-owned real property.

e. Identification of the business processes that county property appraisers and state agencies will use to keep the comprehensive system data complete, current, and accurate.

f. Identification of state agency system usage requirements and responsibilities.

g. Cost-benefit analysis documenting the specific direct and indirect costs, savings, and qualitative and quantitative benefits involved in or resulting from the implementation of the comprehensive state-owned real property system.

(d) Identifying and recommending to the Governor and the chair of the House Full Appropriations Council on General Government & Health Care and the chair of the Senate Policy and Steering Committee on Ways and Means any fiscal and substantive policy changes that are needed to implement and maintain the comprehensive system as documented in the feasibility study.

(6) The project management team shall be established no later than 30 days after this act becomes law and shall work under the direction of the executive steering committee. A memorandum of agreement between the Department of Environmental Protection, the Department of Management Services, the Department of Revenue, and the Department of Financial Services may be executed to clearly define the roles and responsibilities of the project management team. The project management team must be headed by a full-time project manager and consist of senior managers and personnel appointed by members of the executive steering committee. The project management team is responsible for:

(a) Providing daily planning, management, and implementation resources and capabilities for the project.

(b) Developing an operational work plan for the project and providing to the executive steering committee proposed updates to the work plan whenever necessary. The plan must specify project milestones, deliverables, a development and implementation schedule, and expenditures necessary to achieve the main objectives identified in s. 216.0153(2), Florida Statutes.

(c) Submitting written monthly project status reports to the executive steering committee which describe:

1. Planned project costs versus actual project costs.

2. Completion status of major milestones and deliverables according to the project schedule.

3. Any issues requiring resolution, the proposed resolution for the issues, and information regarding the status of the resolution.

4. Specific risks that must be managed and methods for their management.

5. Recommendations for necessary changes in the project's scope, schedule, or costs. All recommendations must be reviewed by project stakeholders before submission to the executive steering committee in order to ensure that the recommendations meet required acceptance criteria.

(d) Preparing the feasibility study required in subsection (1) under the direction of the executive steering committee.

(e) Preparing project work plans and project status reports, which shall also be provided to the Governor and the chair of the House Full Appropriations Council on General Government & Health Care and the chair of the Senate Policy and Steering Committee on Ways and Means.

Section 9. *The Department of Environmental Protection is appropriated spending authority of $320,000 in contracted services from the Internal Improvement Trust Fund in the Land Administration budget entity for the creation of a comprehensive state-owned real property database.*

Section 10. 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 state-owned lands; amending s. 193.023, F.S.; requiring the property appraiser to physically inspect any parcel of state-owned real property upon the request of the taxpayer or owner; amending s. 193.085, F.S.; removing provisions requiring the Department of Revenue to notify property appraisers of state ownership of real property; requiring local governments to notify property appraisers of lands owned by the local government; amending s. 213.053, F.S.; authorizing the Department of Revenue to disclose certain information to the Department of Environmental Protection regarding state-owned lands; amending s. 216.0152, F.S.; requiring the Department of Management Services to maintain an automated inventory of all facilities owned, leased, rented, or otherwise occupied or maintained by any agency of the state, the judicial branch, or a water management district; requiring that the facilities inventory data be provided to the department on or before a specified date each year by the owning or operating state agency; requiring that the Department of Transportation identify and dispose of surplus property pursuant to ss. 337.25 and 339.04, F.S.; requiring the Department of Management Services to adopt rules; directing the department to update its inventory with information concerning the physical condition of facilities that have 3,000 square feet or more of space; creating s. 216.0153, F.S.; directing the Department of Environmental Protection to create, administer, operate, and maintain a comprehensive system for all state lands and real property leased, owned, rented, or otherwise occupied or maintained by any state agency, the judicial branch, or a water management district; providing for a database of all real property owned or leased by the state; requiring all state agencies to enter required real property information into the comprehensive state-owned real property system; requiring the Division of State Lands to submit an annual report to the Governor and Legislature which lists the state-owned real property recommended for disposition; amending s. 253.03, F.S.; requiring the Department of Revenue to furnish, in electronic form, annual current tax roll data for public lands to the Board of Trustees of the Internal Improvement Trust Fund to be used in compiling the inventory of public lands; requiring the board to use tax roll data from the Department of Revenue to assist in the identification and confirmation of publicly held lands; amending s. 253.034, F.S.; removing provisions relating to an inventory of public lands, including federal lands, within the state; requiring that a building or parcel of land be offered for lease to state agencies, state universities, and community colleges before being offered for lease, sublease, or sale to a local or federal unit of government or a private party; requiring that priority consideration for such a lease be given to state universities and community colleges; requiring that a state university or community college submit a plan regarding the intended use of such building or parcel of land for review and approval by the Board of Trustees of the Internal Improvement Trust Fund before approval of a lease; providing that priority consideration be given to the University of South Florida Polytechnic for the lease of vacant land and buildings located at the G. Pierce Wood facility in DeSoto County; providing for future expiration; implementing the comprehensive state-owned real property system; setting forth the timeframes in which the Department of Environmental Protection must complete the comprehensive state-owned real property system; requiring the department to report to the Governor and Legislature by a specified date; providing for an executive steering committee for management of the comprehensive state-owned real property system; describing the composition of the executive steering committee; setting forth the responsibilities of the executive steering committee; creating a project management team to work under the direction of the executive steering committee; requiring the project management team to be headed by a full-time project manager and to consist of senior managers and personnel appointed by members of the executive steering committee; setting forth the responsibilities of the project management team; providing an appropriation; providing an effective date.

On motion by Senator Baker, the Conference Committee Report on **CS for CS for SB 1516** was adopted. **CS for CS for SB 1516** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—37

Mr. President	Altman	Baker
Alexander	Aronberg	Bennett

Bullard	Hill	Ring
Constantine	Jones	Siplin
Crist	Joyner	Smith
Dean	Justice	Sobel
Detert	Lawson	Storms
Diaz de la Portilla	Lynn	Thrasher
Fasano	Negron	Villalobos
Gaetz	Oelrich	Wilson
Gardiner	Peaden	Wise
Gelber	Rich	
Haridopolos	Richter	

Nays—2

Dockery	Garcia

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1484

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1484, same being:

An act relating to Medicaid.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (102358) to CS for CS for SB 1484 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

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s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
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Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano
s/ Adam Hasner, At Large
s/ Matt Hudson

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large

Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for CS for SB 1484, relating to Medicaid:

- Directs the Agency for Health Care Administration (AHCA) to request an extension of the current Medicaid Reform waiver obtained under section 1115 of the Social Security Act and to preserve the Low Income Pool provisions of the waiver by no later than July 1, 2010. The AHCA is required to provide the Legislature and the Governor with monthly progress reports on the waiver extension negotiations with the federal Centers for Medicare and Medicaid Services.

- Directs the AHCA to develop methodologies to maintain the use of intergovernmental transfers and certified public expenditures in a Medicaid managed care environment. Requires the Secretary of the AHCA to convene a workgroup of stakeholders that will include individuals representing hospitals, counties, medical schools, managed care plans, and Medicaid provider-service-networks and directs the AHCA to provide a report by January 1, 2011, on the developed methodologies.

- Creates the Medicaid and Public Assistance Fraud Strike Force (Strike Force) within the Department of Financial Services (DFS) to develop a statewide strategy and coordinate state and local efforts and resources to prevent, investigate and prosecute Medicaid and public assistance fraud.

- The Strike Force will hold its organization meeting by no later than March 1, 2011, and is required to meet at least four times annually. The Strike Force will consist of 11 members with Chief Financial Officer (CFO) serving as chair, and the Attorney General serving as vice-chair.

- Directs the Strike Force to provide recommendations and advice to the CFO on initiatives that include, but are not limited to:

  - Conducting a census of current Medicaid and public assistance fraud efforts;

  - Developing a strategic plan targeting state and local resources to prevent, detect, and deter Medicaid and public assistance fraud;

  - Developing innovative technology and data sharing among affected entities;

  - Establishing a program that provides grants to state and local agencies to implement effective anti-fraud measures;

  - Providing grants, contingent upon appropriation, for multiagency Medicaid and public assistance fraud efforts;

  - Providing assistance to state attorneys for support services or for the hiring of assistant state attorneys to prosecute Medicaid and public assistance fraud; and

  - Providing assistance to judges for support services or for the hiring of senior judges so that Medicaid and public assistance fraud cases can be heard expeditiously.

- Requires the CFO to develop model interagency agreements to coordinate the investigation of Medicaid and public assistance fraud.

- Transfers the Public Assistance Fraud Division from the Florida Department of Law Enforcement to the DFS on January 1, 2011.

- Authorizes Medicaid related fraud units to be collocated, to the extent possible and requires the Medicaid managed care fraud in-

vestigators within the Attorney General's Office to collocate with the Division of Insurance Fraud within the DFS.

- Requires the Auditor General and the Office of Program Policy Analysis and Government Accountability to review and evaluate the AHCA's Medicaid fraud and abuse systems and requires a report to the Legislature and Governor by December 1, 2011.

- Requires each Medicaid managed care plan to adopt an anti-fraud plan to address overpayment, abuse, and fraud in the provision of Medicaid services and to submit the plan for approval to the Office of Medicaid Program Integrity within the AHCA. The amendment establishes minimum standards for anti-fraud plans and requires each Medicaid managed care plan to establish a fraud investigative unit or contract with such an entity. In addition, the amendment provides penalties for Medicaid managed care plans that fail to comply with these provisions.

- Requires all Medicaid managed care plans to report any suspected instance of overpayment, fraud, or abuse to the Office of Medicaid Program Integrity within 15 days.

- Revises the requirements for the selection of a behavioral health care provider in Broward County for children who have a case open in the Department of Children and Family Services's HomeSafeNet (HSN, Florida's child welfare reporting system), to allow those children who are in the custody of the State to enroll in a managed care plan which provides both physical and mental health care services. Authorizes a participating specialty plan to receive an administrative fee for coordination of services based upon the receipt of the state share of the fee from intergovernmental transfers.

- Allows a provider service network to provide behavioral health services in addition to physical health services in areas of the state not under Medicaid reform.

- Extends the guidelines for phasing in financial risk for approved provider service networks and Children's Medical Services Networks over the period of the waiver and the extension thereof.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment (102358)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *By July 1, 2010, the Agency for Health Care Administration shall begin the process of requesting an extension of the Section 1115 waiver and shall ensure that the waiver remains active and current. The agency shall report at least monthly to the Legislature on progress in negotiating for the extension of the waiver. Changes to the terms and conditions relating to the low-income pool must be approved by the Legislative Budget Commission.*

Section 2. *(1) The Agency for Health Care Administration shall develop a methodology to ensure the availability of intergovernmental transfers in any expansion of prepaid managed care in the Medicaid program. The purpose of this methodology is to support providers that have historically served Medicaid recipients, including, but not limited to, safety net providers, trauma hospitals, children's hospitals, statutory teaching hospitals, and medical and osteopathic physicians employed by or under contract with a medical school in this state. The agency may develop a supplemental capitation rate, risk pool, or incentive payment to plans that contract with these providers. The agency may develop the supplemental capitation rate to consider rates higher than the fee-for-service Medicaid rate when needed to ensure access and supported by funds provided by a locality. The agency shall evaluate the development of the rate cell to accurately reflect the underlying utilization to the maximum extent possible. The methodology may include interim rate adjustments as permitted under federal regulations. Any such methodology shall preserve federal funding to these entities and must be actuarially sound.*

(2) The Secretary of Health Care Administration shall appoint members and convene a technical advisory panel to advise the agency in the study and development of intergovernmental transfer distribution methods. The panel shall include representatives from contributing hospitals, medical schools, local governments, and managed care plans. The panel shall advise the agency regarding the best methods for ensuring the continued availability of intergovernmental transfers, specific issues to resolve in negotiations with the Centers for Medicare and Medicaid, and appropriate safeguards for appropriate implementation of any developed payment methodologies.

(3) By January 1, 2011, the agency shall provide a report to the Speaker of the House of Representatives, the President of the Senate, and the Governor on the intergovernmental transfer methodologies developed. The agency shall not implement such methodologies without express legislative authority.

Section 3. Section 624.35, Florida Statutes, is created to read:

624.35 Short title.—Sections 624.35-624.352 may be cited as the "Medicaid and Public Assistance Fraud Strike Force Act."

Section 4. Section 624.351, Florida Statutes, is created to read:

624.351 Medicaid and Public Assistance Fraud Strike Force.—

(1) LEGISLATIVE FINDINGS.—The Legislature finds that there is a need to develop and implement a statewide strategy to coordinate state and local agencies, law enforcement entities, and investigative units in order to increase the effectiveness of programs and initiatives dealing with the prevention, detection, and prosecution of Medicaid and public assistance fraud.

(2) ESTABLISHMENT.—The Medicaid and Public Assistance Fraud Strike Force is created within the department to oversee and coordinate state and local efforts to eliminate Medicaid and public assistance fraud and to recover state and federal funds. The strike force shall serve in an advisory capacity and provide recommendations and policy alternatives to the Chief Financial Officer.

(3) MEMBERSHIP.—The strike force shall consist of the following 11 members who may not designate anyone to serve in their place:

(a) The Chief Financial Officer, who shall serve as chair.

(b) The Attorney General, who shall serve as vice chair.

(c) The executive director of the Department of Law Enforcement.

(d) The Secretary of Health Care Administration.

(e) The Secretary of Children and Family Services.

(f) The State Surgeon General.

(g) Five members appointed by the Chief Financial Officer, consisting of two sheriffs, two chiefs of police, and one state attorney. When making these appointments, the Chief Financial Officer shall consider representation by geography, population, ethnicity, and other relevant factors in order to ensure that the membership of the strike force is representative of the state as a whole.

(4) TERMS OF MEMBERSHIP; COMPENSATION; STAFF.—

(a) The five members appointed by the Chief Financial Officer shall be appointed to 4-year terms; however, for the purpose of providing staggered terms, of the initial appointments, two members shall be appointed to a 2-year term, two members shall be appointed to a 3-year term, and one member shall be appointed to a 4-year term. Each of the remaining members is a standing member of the strike force and may not serve beyond the time he or she holds the position that was the basis for strike force membership. A vacancy shall be filled in the same manner as the original appointment but only for the unexpired term.

(b) The Legislature finds that the strike force serves a legitimate state, county, and municipal purpose and that service on the strike force is consistent with a member's principal service in a public office or employment. Therefore membership on the strike force does not disqualify a member from holding any other public office or from being employed by a public entity, except that a member of the Legislature may not serve on the strike force.

(c) Members of the strike force shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses pursuant

to s. 112.061. Reimbursements may be paid from appropriations provided to the department by the Legislature for the purposes of this section.

(d) The Chief Financial Officer shall appoint a chief of staff for the strike force who must have experience, education, and expertise in the fields of law, prosecution, or fraud investigations and shall serve at the pleasure of the Chief Financial Officer. The department shall provide the strike force with staff necessary to assist the strike force in the performance of its duties.

(5) MEETINGS.—The strike force shall hold its organizational session by March 1, 2011. Thereafter, the strike force shall meet at least four times per year. Additional meetings may be held if the chair determines that extraordinary circumstances require an additional meeting. Members may appear by electronic means. A majority of the members of the strike force constitutes a quorum.

(6) STRIKE FORCE DUTIES.—The strike force shall provide advice and make recommendations, as necessary, to the Chief Financial Officer.

(a) The strike force may advise the Chief Financial Officer on initiatives that include, but are not limited to:

1. Conducting a census of local, state, and federal efforts to address Medicaid and public assistance fraud in this state, including fraud detection, prevention, and prosecution, in order to discern overlapping missions, maximize existing resources, and strengthen current programs.

2. Developing a strategic plan for coordinating and targeting state and local resources for preventing and prosecuting Medicaid and public assistance fraud. The plan must identify methods to enhance multiagency efforts that contribute to achieving the state's goal of eliminating Medicaid and public assistance fraud.

3. Identifying methods to implement innovative technology and data sharing in order to detect and analyze Medicaid and public assistance fraud with speed and efficiency.

4. Establishing a program to provide grants to state and local agencies that develop and implement effective Medicaid and public assistance fraud prevention, detection, and investigation programs, which are evaluated by the strike force and ranked by their potential to contribute to achieving the state's goal of eliminating Medicaid and public assistance fraud. The grant program may also provide startup funding for new initiatives by local and state law enforcement or administrative agencies to combat Medicaid and public assistance fraud.

5. Developing and promoting crime prevention services and educational programs that serve the public, including, but not limited to, a well-publicized rewards program for the apprehension and conviction of criminals who perpetrate Medicaid and public assistance fraud.

6. Providing grants, contingent upon appropriation, for multiagency or state and local Medicaid and public assistance fraud efforts, which include, but are not limited to:

a. Providing for a Medicaid and public assistance fraud prosecutor in the Office of the Statewide Prosecutor.

b. Providing assistance to state attorneys for support services or equipment, or for the hiring of assistant state attorneys, as needed, to prosecute Medicaid and public assistance fraud cases.

c. Providing assistance to judges for support services or for the hiring of senior judges, as needed, so that Medicaid and public assistance fraud cases can be heard expeditiously.

(b) The strike force shall receive periodic reports from state agencies, law enforcement officers, investigators, prosecutors, and coordinating teams regarding Medicaid and public assistance criminal and civil investigations. Such reports may include discussions regarding significant factors and trends relevant to a statewide Medicaid and public assistance fraud strategy.

(7) REPORTS.—The strike force shall annually prepare and submit a report on its activities and recommendations, by October 1, to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the chairs of the House of Representatives and Senate committees that have substantive jurisdiction over Medicaid and public assistance fraud.

Section 5. Section 624.352, Florida Statutes, is created to read:

624.352 Interagency agreements to detect and deter Medicaid and public assistance fraud.—

(1) The Chief Financial Officer shall prepare model interagency agreements for the coordination of prevention, investigation, and prosecution of Medicaid and public assistance fraud to be known as "Strike Force" agreements. Parties to such agreements may include any agency that is headed by a Cabinet officer, the Governor, the Governor and Cabinet, a collegial body, or any federal, state, or local law enforcement agency.

(2) The agreements must include, but are not limited to:

(a) Establishing the agreement's purpose, mission, authority, organizational structure, procedures, supervision, operations, deputations, funding, expenditures, property and equipment, reports and records, assets and forfeitures, media policy, liability, and duration.

(b) Requiring that parties to an agreement have appropriate powers and authority relative to the purpose and mission of the agreement.

Section 6. Section 16.59, Florida Statutes, is amended to read:

16.59 Medicaid fraud control.—*The Medicaid Fraud Control Unit* ~~There~~ is created in the Department of Legal Affairs *to* ~~the Medicaid Fraud Control Unit, which may~~ investigate all violations of s. 409.920 and any criminal violations discovered during the course of those investigations. The Medicaid Fraud Control Unit may refer any criminal violation so uncovered to the appropriate prosecuting authority. *The* offices of the Medicaid Fraud Control Unit*,* ~~and~~ the ~~offices of the~~ Agency for Health Care Administration Medicaid program integrity program*, and the Divisions of Insurance Fraud and Public Assistance Fraud within the Department of Financial Services* shall, to the extent possible, be collocated*; however, positions dedicated to Medicaid managed care fraud within the Medicaid Fraud Control Unit shall be collocated with the Division of Insurance Fraud*. The Agency *for Health Care Administration,* ~~and~~ the Department of Legal Affairs*, and the Divisions of Insurance Fraud and Public Assistance Fraud within the Department of Financial Services* shall conduct joint training and other joint activities designed to increase communication and coordination in recovering overpayments.

Section 7. Paragraph (o) is added to subsection (2) of section 20.121, Florida Statutes, to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions:

(o) The Division of Public Assistance Fraud.

Section 8. Paragraph (b) of subsection (7) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(7) PARENTAL CHOICE.—

(b) If it is determined that a provider has provided any cash to the beneficiary in return for receiving the purchase order, the early learning coalition or its fiscal agent shall refer the matter to the *Department of Financial Services pursuant to s. 414.411* ~~Division of Public Assistance Fraud~~ for investigation.

Section 9. Subsection (2) of section 414.33, Florida Statutes, is amended to read:

414.33 Violations of food stamp program.—

(2) In addition, the department shall establish procedures for referring ~~to the Department of Law Enforcement~~ any case that involves a suspected violation of federal or state law or rules governing the ad-

ministration of the food stamp program *to the Department of Financial Services pursuant to s. 414.411.*

Section 10. Subsection (9) of section 414.39, Florida Statutes, is amended to read:

414.39 Fraud.—

(9) All records relating to investigations of public assistance fraud in the custody of the department and the Agency for Health Care Administration are available for examination by the Department of *Financial Services* ~~Law Enforcement~~ pursuant to s. *414.411* ~~943.401~~ and are admissible into evidence in proceedings brought under this section as business records within the meaning of s. 90.803(6).

Section 11. Section 943.401, Florida Statutes, is transferred, renumbered as section 414.411, Florida Statutes, and amended to read:

414.411 ~~943.401~~ Public assistance fraud.—

(1)~~(a)~~ The Department of *Financial Services* ~~Law Enforcement~~ shall investigate all public assistance provided to residents of the state or provided to others by the state. In the course of such investigation the department ~~of Law Enforcement~~ shall examine all records, including electronic benefits transfer records and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys, food stamps, or other items or benefits authorizations to recipients.

~~(b)~~ All public assistance recipients, as a condition precedent to qualification for public assistance ~~received and as defined~~ under ~~the provisions of~~ chapter 409, chapter 411, or *this* chapter ~~414~~, *must* ~~shall~~ first give in writing, to the Agency for Health Care Administration, the Department of Health, the Agency for Workforce Innovation, and the Department of Children and Family Services, as appropriate, and to the Department of *Financial Services* ~~Law Enforcement~~, consent to make inquiry of past or present employers and records, financial or otherwise.

(2) In the conduct of such investigation the Department of *Financial Services* ~~Law Enforcement~~ may employ persons having such qualifications as are useful in the performance of this duty.

(3) The results of such investigation shall be reported by the Department of *Financial Services* ~~Law Enforcement~~ to the appropriate legislative committees, the Agency for Health Care Administration, the Department of Health, the Agency for Workforce Innovation, and the Department of Children and Family Services, and to such others as the department ~~of Law Enforcement~~ may determine.

(4) The Department of Health and the Department of Children and Family Services shall report to the Department of *Financial Services* ~~Law Enforcement~~ the final disposition of all cases wherein action has been taken pursuant to s. 414.39, based upon information furnished by the Department of *Financial Services* ~~Law Enforcement~~.

(5) All lawful fees and expenses of officers and witnesses, expenses incident to taking testimony and transcripts of testimony and proceedings are a proper charge to the Department of *Financial Services* ~~Law Enforcement~~.

(6) The provisions of this section shall be liberally construed in order to carry out effectively the purposes of this section in the interest of protecting public moneys and other public property.

Section 12. Section 409.91212, Florida Statutes, is created to read:

409.91212 Medicaid managed care fraud.—

(1) Each managed care plan, as defined in s. 409.920(1)(e), shall adopt an anti-fraud plan addressing the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for Medicaid services and submit the plan to the Office of Medicaid Program Integrity within the agency for approval. At a minimum, the anti-fraud plan must include:

(a) A written description or chart outlining the organizational arrangement of the plan's personnel who are responsible for the investigation and reporting of possible overpayment, abuse, or fraud;

(b) A description of the plan's procedures for detecting and investigating possible acts of fraud, abuse, and overpayment;

(c) A description of the plan's procedures for the mandatory reporting of possible overpayment, abuse, or fraud to the Office of Medicaid Program Integrity within the agency;

(d) A description of the plan's program and procedures for educating and training personnel on how to detect and prevent fraud, abuse, and overpayment;

(e) The name, address, telephone number, e-mail address, and fax number of the individual responsible for carrying out the anti-fraud plan; and

(f) A summary of the results of the investigations of fraud, abuse, or overpayment which were conducted during the previous year by the managed care organization's fraud investigative unit.

(2) A managed care plan that provides Medicaid services shall:

(a) Establish and maintain a fraud investigative unit to investigate possible acts of fraud, abuse, and overpayment; or

(b) Contract for the investigation of possible fraudulent or abusive acts by Medicaid recipients, persons providing services to Medicaid recipients, or any other persons.

(3) If a managed care plan contracts for the investigation of fraudulent claims and other types of program abuse by recipients or service providers, the managed care plan shall file the following with the Office of Medicaid Program Integrity within the agency for approval before the plan executes any contracts for fraud and abuse prevention and detection:

(a) A copy of the written contract between the plan and the contracting entity;

(b) The names, addresses, telephone numbers, e-mail addresses, and fax numbers of the principals of the entity with which the managed care plan has contracted; and

(c) A description of the qualifications of the principals of the entity with which the managed care plan has contracted.

(4) On or before September 1 of each year, each managed care plan shall report to the Office of Medicaid Program Integrity within the agency on its experience in implementing an anti-fraud plan, as provided under subsection (1), and, if applicable, conducting or contracting for investigations of possible fraudulent or abusive acts as provided under this section for the prior state fiscal year. The report must include, at a minimum:

(a) The dollar amount of losses and recoveries attributable to overpayment, abuse, and fraud.

(b) The number of referrals to the Office of Medicaid Program Integrity during the prior year.

(5) If a managed care plan fails to timely submit a final acceptable anti-fraud plan, fails to timely submit its annual report, fails to implement its anti-fraud plan or investigative unit, if applicable, or otherwise refuses to comply with this section, the agency shall impose:

(a) An administrative fine of $2,000 per calendar day for failure to submit an acceptable anti-fraud plan or report until the agency deems the managed care plan or report to be in compliance;

(b) An administrative fine of not more than $10,000 for failure by a managed care plan to implement an anti-fraud plan or investigative unit, as applicable; or

(c) The administrative fines pursuant to paragraphs (a) and (b).

(6) Each managed care plan shall report all suspected or confirmed instances of provider or recipient fraud or abuse within 15 calendar days after detection to the Office of Medicaid Program Integrity within the agency. At a minimum the report must contain the name of the provider or recipient, the Medicaid billing number or tax identification number, and a description of the fraudulent or abusive act. The Office of Medicaid

Program Integrity in the agency shall forward the report of suspected overpayment, abuse, or fraud to the appropriate investigative unit, including, but not limited to, the Bureau of Medicaid program integrity, the Medicaid fraud control unit, the Division of Public Assistance Fraud, the Division of Insurance Fraud, or the Department of Law Enforcement.

(a) Failure to timely report shall result in an administrative fine of $1,000 per calendar day after the 15th day of detection.

(b) Failure to timely report may result in additional administrative, civil, or criminal penalties.

(7) The agency may adopt rules to administer this section.

Section 13. *Review of the Medicaid fraud and abuse processes.—*

(1) The Auditor General and the Office of Program Policy Analysis and Government Accountability shall review and evaluate the Agency for Health Care Administration's Medicaid fraud and abuse systems, including the Medicaid program integrity program. The reviewers may access Medicaid-related information and data from the Attorney General's Medicaid Fraud Control Unit, the Department of Health, the Department of Elderly Affairs, the Agency for Persons with Disabilities, and the Department of Children and Family Services, as necessary, to conduct the review. The review must include, but is not limited to:

(a) An evaluation of current Medicaid policies and the Medicaid fiscal agent;

(b) An analysis of the Medicaid fraud and abuse prevention and detection processes, including agency contracts, Medicaid databases, and internal control risk assessments;

(c) A comprehensive evaluation of the effectiveness of the current laws, rules, and contractual requirements that govern Medicaid managed care entities;

(d) An evaluation of the agency's Medicaid managed care oversight processes;

(e) Recommendations to improve the Medicaid claims adjudication process, to increase the overall efficiency of the Medicaid program, and to reduce Medicaid overpayments; and

(f) Operational and legislative recommendations to improve the prevention and detection of fraud and abuse in the Medicaid managed care program.

(2) The Auditor General's Office and the Office of Program Policy Analysis and Government Accountability may contract with technical consultants to assist in the performance of the review. The Auditor General and the Office of Program Policy Analysis and Government Accountability shall report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by December 1, 2011.

Section 14. *Medicaid claims adjudication project.—The Agency for Health Care Administration shall issue a competitive procurement pursuant to chapter 287, Florida Statutes, with a third-party vendor, at no cost to the state, to provide a real-time, front-end database to augment the Medicaid fiscal agent program edits and claims adjudication process. The vendor shall provide an interface with the Medicaid fiscal agent to decrease inaccurate payment to Medicaid providers and improve the overall efficiency of the Medicaid claims-processing system.*

Section 15. Effective July 1, 2010, paragraph (b) of subsection (4) of section 409.912, Florida Statutes, is amended, and paragraph (d) of that subsection is republished, 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.

(4) The agency may contract with:

(b) An entity that is providing comprehensive behavioral health care services to certain Medicaid recipients through a capitated, prepaid arrangement pursuant to the federal waiver provided for by s. 409.905(5). Such entity must be licensed under chapter 624, chapter 636, or chapter 641, or authorized under paragraph (c) *or paragraph (d)*, and must possess the clinical systems and operational competence to manage risk and provide comprehensive behavioral health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. The secretary of the Department of Children and Family Services shall approve provisions of procurements related to children in the department's care or custody before enrolling such children in a prepaid behavioral health plan. Any contract awarded under this paragraph must be competitively procured. In developing the behavioral health care prepaid plan procurement document, the agency shall ensure that the procurement document requires the contractor to develop and implement a plan to ensure compliance with s. 394.4574 related to services provided to residents of licensed assisted living facilities that hold a limited mental health license. Except as provided in subparagraph 8., and except in counties where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211, the agency shall seek federal approval to contract with a single entity meeting these requirements to provide comprehensive behavioral health care services to all Medicaid recipients not enrolled in a Medicaid managed care plan authorized under s. 409.91211*, a provider service network authorized under paragraph (d),* or a Medicaid health maintenance organization in an AHCA area. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and are subject to this paragraph. Each

entity must offer a sufficient choice of providers in its network to ensure recipient access to care and the opportunity to select a provider with whom they are satisfied. The network shall include all public mental health hospitals. To ensure unimpaired access to behavioral health care services by Medicaid recipients, all contracts issued pursuant to this paragraph must require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations *and capitated provider service networks*, to be expended for the provision of behavioral health care services. If the managed care plan expends less than 80 percent of the capitation paid for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the plan with a certification letter indicating the amount of capitation paid during each calendar year for behavioral health care services pursuant to this section. The agency may reimburse for substance abuse treatment services on a fee-for-service basis until the agency finds that adequate funds are available for capitated, prepaid arrangements.

1. By January 1, 2001, the agency shall modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, to include substance abuse treatment services.

2. By July 1, 2003, the agency and the Department of Children and Family Services shall execute a written agreement that requires collaboration and joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs.

3. Except as provided in subparagraph 8., by July 1, 2006, the agency and the Department of Children and Family Services shall contract with managed care entities in each AHCA area except area 6 or arrange to provide comprehensive inpatient and outpatient mental health and substance abuse services through capitated prepaid arrangements to all Medicaid recipients who are eligible to participate in such plans under federal law and regulation. In AHCA areas where eligible individuals number less than 150,000, the agency shall contract with a single managed care plan to provide comprehensive behavioral health services to all recipients who are not enrolled in a Medicaid health maintenance organization*, a provider service network authorized under paragraph (d),* or a Medicaid capitated managed care plan authorized under s. 409.91211. The agency may contract with more than one comprehensive behavioral health provider to provide care to recipients who are not enrolled in a Medicaid capitated managed care plan authorized under s. 409.91211*, a provider service network authorized under paragraph (d),* or a Medicaid health maintenance organization in AHCA areas where the eligible population exceeds 150,000. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Contracts for comprehensive behavioral health providers awarded pursuant to this section shall be competitively procured. Both for-profit and not-for-profit corporations are eligible to compete. Managed care plans contracting with the agency under subsection (3) *or paragraph (d),* shall provide and receive payment for the same comprehensive behavioral health benefits as provided in AHCA rules, including handbooks incorporated by reference. In AHCA area 11, the agency shall contract with at least two comprehensive behavioral health care providers to provide behavioral health care to recipients in that area who are enrolled in, or assigned to, the MediPass program. One of the behavioral health care contracts must be with the existing provider service network pilot project, as described in paragraph (d), for the purpose of demonstrating the cost-effectiveness of the provision of quality mental health services through a public hospital-operated managed care model. Payment shall be at an agreed-upon capitated rate to ensure cost savings. Of the recipients in area 11 who are assigned to MediPass under s. 409.9122(2)(k), a minimum of 50,000 of those MediPass-enrolled recipients shall be assigned to the existing provider service network in area 11 for their behavioral care.

4. By October 1, 2003, the agency and the department shall submit a plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state.

a. Implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

b. If the agency determines that the proposed capitation rate in any area is insufficient to provide appropriate services, the agency may adjust the capitation rate to ensure that care will be available. The agency and the department may use existing general revenue to address any additional required match but may not over-obligate existing funds on an annualized basis.

c. Subject to any limitations provided in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures that allow for certification of local and state funds.

5. Children residing in a statewide inpatient psychiatric program, or in a Department of Juvenile Justice or a Department of Children and Family Services residential program approved as a Medicaid behavioral health overlay services provider may not be included in a behavioral health care prepaid health plan or any other Medicaid managed care plan pursuant to this paragraph.

6. In converting to a prepaid system of delivery, the agency shall in its procurement document require an entity providing only comprehensive behavioral health care services to prevent the displacement of indigent care patients by enrollees in the Medicaid prepaid health plan providing behavioral health care services from facilities receiving state funding to provide indigent behavioral health care, to facilities licensed under chapter 395 which do not receive state funding for indigent behavioral health care, or reimburse the unsubsidized facility for the cost of behavioral health care provided to the displaced indigent care patient.

7. Traditional community mental health providers under contract with the Department of Children and Family Services pursuant to part IV of chapter 394, child welfare providers under contract with the Department of Children and Family Services in areas 1 and 6, and inpatient mental health providers licensed pursuant to chapter 395 must be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid behavioral health services.

8. All Medicaid-eligible children, except children in area 1 and children in Highlands County, Hardee County, Polk County, or Manatee County of area 6, that are open for child welfare services in the HomeSafeNet system, shall receive their behavioral health care services through a specialty prepaid plan operated by community-based lead agencies through a single agency or formal agreements among several agencies. The specialty prepaid plan must result in savings to the state comparable to savings achieved in other Medicaid managed care and prepaid programs. Such plan must provide mechanisms to maximize state and local revenues. The specialty prepaid plan shall be developed by the agency and the Department of Children and Family Services. The agency may seek federal waivers to implement this initiative. Medicaid-eligible children whose cases are open for child welfare services in the HomeSafeNet system and who reside in AHCA area 10 are exempt from the specialty prepaid plan upon the development of a service delivery mechanism for children who reside in area 10 as specified in s. 409.91211(3)(dd).

(d) A provider service network may be reimbursed on a fee-for-service or prepaid basis. A provider service network which is reimbursed by the agency on a prepaid basis shall be exempt from parts I and III of chapter 641, but must comply with the solvency requirements in s. 641.2261(2) and meet appropriate financial reserve, quality assurance, and patient rights requirements as established by the agency. Medicaid recipients assigned to a provider service network shall be chosen equally from those who would otherwise have been assigned to prepaid plans and MediPass. The agency is authorized to seek federal Medicaid waivers as necessary to implement the provisions of this section. Any contract previously awarded to a provider service network operated by a hospital pursuant to this subsection shall remain in effect for a period of 3 years following the current contract expiration date, regardless of any contractual provisions to the contrary. A provider service network is a network established or organized and operated by a health care provider, or group of affiliated health care providers, including minority physician networks and emergency room diversion programs that meet the requirements of s. 409.91211, which provides a substantial proportion of the health care items and services under a contract directly through the provider or affiliated group of providers and may make arrangements with physicians or other health care professionals, health care institutions, or any combination of such individuals or institutions to assume all or part of the financial risk on a prospective basis for the provision of basic health services by the physicians, by other health professionals, or through the institutions. The health care providers must have a controlling interest in the governing body of the provider service network organization.

Section 16. Effective July 1, 2010, paragraphs (e) and (dd) of subsection (3) of section 409.91211, Florida Statutes, are amended to read:

409.91211 Medicaid managed care pilot program.—

(3) The agency shall have the following powers, duties, and responsibilities with respect to the pilot program:

(e) To implement policies and guidelines for phasing in financial risk for approved provider service networks that, for purposes of this paragraph, include the Children's Medical Services Network, over *the* ~~a 5-year~~ period *of the waiver and the extension thereof*. These policies and guidelines must include an option for a provider service network to be paid fee-for-service rates. For any provider service network established in a managed care pilot area, the option to be paid fee-for-service rates must include a savings-settlement mechanism that is consistent with s. 409.912(44). This model must be converted to a risk-adjusted capitated rate by the beginning of the *final* ~~sixth~~ year of operation *under the waiver extension*, and may be converted earlier at the option of the provider service network. Federally qualified health centers may be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid primary care services.

(dd) To implement service delivery mechanisms within *a specialty plan in area 10* ~~capitated managed care plans~~ to provide *behavioral health care services* ~~Medicaid services as specified in ss. 409.905 and 409.906~~ to Medicaid-eligible children whose cases are open for child welfare services in the HomeSafeNet system. These services must be coordinated with community-based care providers as specified in s. 409.1671, where available, and be sufficient to meet the ~~medical,~~ developmental, behavioral, and emotional needs of these children. *Children in area 10 who have an open case in the HomeSafeNet system shall be enrolled into the specialty plan.* These service delivery mechanisms must be implemented no later than July 1, *2011* ~~2008~~, in AHCA area 10 in order for the children in AHCA area 10 to remain exempt from the statewide plan under s. 409.912(4)(b)8. *An administrative fee may be paid to the specialty plan for the coordination of services based on the receipt of the state share of that fee being provided through intergovernmental transfers.*

Section 17. *All powers, duties, functions, records, offices, personnel, property, pending issues and existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to public assistance fraud in the Department of Law Enforcement are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Public Assistance Fraud in the Department of Financial Services.*

Section 18. Except as otherwise expressly provided in this act and except for sections 1, 2, 12, 13, and 14 of this act and this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to Medicaid; requiring that the Agency for Health Care Administration request an extension of a specified federal waiver; requiring the agency to report each month to the Legislature; requiring that certain changes of terms and conditions relating to the low-income pool be approved by the Legislative Budget Commission; requiring that the agency develop a methodology for intergovernmental transfers in any expansion of prepaid managed care in the Medicaid program; requiring that the secretary appoint a technical advisory panel; requiring a report to the Governor and Legislature; creating s. 624.35, F.S.; providing a short title; creating s. 624.351, F.S.; providing legislative findings; establishing the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services to coordinate efforts to eliminate Medicaid and public assistance fraud; providing for membership; providing for meetings; specifying duties; requiring an annual report to the Legislature and Governor; creating s. 624.352, F.S.; directing the Chief Financial Officer to prepare model interagency agreements that address Medicaid and public assistance fraud; specifying which agencies may be a party to such agreements; amending s. 16.59, F.S.; conforming provisions to changes made by the act; requiring the Divisions of Insurance Fraud and Public Assistance Fraud in the Department of Financial Services to be collocated with the Medicaid Fraud Control Unit if possible; requiring positions dedicated to Medicaid managed care fraud to be collocated with the Division of Insurance Fraud; amending s. 20.121, F.S.; establishing the Division of Public Assistance Fraud within the Department of Financial Services; amending ss. 411.01, 414.33, and 414.39, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 943.401, F.S.; directing the Department of Financial Services rather than the Department of Law Enforcement to investigate public assistance fraud; creating s. 409.91212, F.S.; requiring that each managed care plan adopt an anti-fraud plan; specifying requirements for the plan; requiring that a managed care plan providing Medicaid services to establish and maintain a fraud investigative unit or contract for such services; providing requirements for reports to the Office of Medicaid Program Integrity; authorizing the agency to impose fines against a managed care plan that fails to submit an anti-fraud plan or make certain reports; authorizing the agency to adopt rules; directing the Auditor General and the Office of Program Policy Analysis and Government Accountability to review the Medicaid fraud and abuse processes in the Agency for Health Care Administration; requiring a report to the Legislature and Governor by a certain date; establishing the Medicaid claims adjudication project in the Agency for Health Care Administration to decrease the incidence of inaccurate payments and to improve the efficiency of the Medicaid claims processing system; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with an entity that provides comprehensive behavioral health care services to certain Medicaid recipients who are not enrolled in a Medicaid managed care plan or a Medicaid provider service network under certain circumstances; amending s. 409.91211, F.S.; revising certain provisions governing the Medicaid managed care pilot program to conform to the extension of the federal waiver; authorizing an administrative fee to be paid to the specialty plan for the coordination of services; transferring activities relating to public assistance fraud from the Department of Law Enforcement to the Division of Public Assistance Fraud in the Department of Financial Services by a type two transfer; providing effective dates.

On motion by Senator Peaden, the Conference Committee Report on **CS for CS for SB 1484** was adopted. **CS for CS for SB 1484** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

Vote after roll call:

Yea to Nay—Sobel

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 2020

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 2020, same being:

An act relating to information technology.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (566414) to CS for SB 2020 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
Dave Murzin
H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
Trudi K. Williams

Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 2020, relating to Information Technology, makes the following changes:

- Expands the role of the Agency for Enterprise Information Technology (AEIT) in coordinating the consolidation state agency purchases of information technology (IT) products and services.
- Establishes a competitive solicitation process for procuring a statewide consolidated email service.
- Requires the consolidation of SUNCOM services connecting users in state primary data centers to SUNCOM Network services.
- Provides for a staggered consolidation schedule of agency computing services, required by section 17, chapter 2008-116, Laws of Florida, into three primary data centers (Southwood Shared Resource Center, Northwood Shared Resource Center and the Northwest Regional Data Center).
- Provides for the ability of the state primary data centers to contract with each other for administrative services.
- Appropriates three FTEs and $300,000 for additional duties associated with AEIT's expanded role in IT purchases

Conference Committee Amendment (566414)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (g), (h), and (i) of subsection (4) of section 14.204, Florida Statutes, are amended, and paragraphs (j) and (k) are added to that subsection, to read:

14.204 Agency for Enterprise Information Technology.—The Agency for Enterprise Information Technology is created within the Executive Office of the Governor.

(4) The agency shall have the following duties and responsibilities:

(g) Coordinate *acquisition planning and* procurement negotiations for hardware and software *products and services in order to improve the efficiency and reduce the cost of enterprise information technology services* ~~acquisition necessary to consolidate data center or computer facilities infrastructure~~.

(h) In consultation with the Division of Purchasing in the Department of Management Services, coordinate procurement negotiations for *information technology products as defined in s. 282.0041 which* ~~software that~~ will be used by multiple agencies.

(i) In coordination with, and through the services of, the Division of Purchasing in the Department of Management Services, *establish* ~~develop~~ best practices for *the procurement of information* technology *products as defined in s. 282.0041 in order to achieve savings for the state* ~~procurements~~.

(j) Develop information technology standards for enterprise information technology services.

(k) Provide annually, by December 31, recommendations to the Legislature relating to techniques for consolidating the purchase of information technology commodities and services, which result in savings for the state, and for establishing a process to achieve savings through consolidated purchases.

Section 2. Paragraph (c) of subsection (2) of section 282.201, Florida Statutes, is amended, and paragraph (d) is added to subsection (3) of that section, to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(2) AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY DUTIES.—The Agency for Enterprise Information Technology shall:

(c) By December 31 of each year ~~beginning in 2009~~, submit to the Legislature recommendations to improve the efficiency and effectiveness of computing services provided by state data center system facilities. Such recommendations may include, but need not be limited to:

1. Policies for improving the cost-effectiveness and efficiency of the state data center system.

2. Infrastructure improvements supporting the consolidation of facilities or preempting the need to create additional data centers or computing facilities.

3. Standards for an objective, credible energy performance rating system that data center boards of trustees can use to measure state data center energy consumption and efficiency on a biannual basis.

4. Uniform disaster recovery standards.

5. Standards for primary data centers providing transparent financial data to user agencies.

6. Consolidation of contract practices or coordination of software, hardware, or other technology-related procurements.

7. Improvements to data center governance structures.

(3) STATE AGENCY DUTIES.—

(d) Each state agency customer of a primary data center shall notify the data center, by May 31 and November 30 of each year, of any significant changes in anticipated utilization of data center services pursuant to requirements established by the boards of trustees of each primary data center.

Section 3. Paragraph (d) of subsection (1), paragraph (d) of subsection (2), and paragraph (a) of subsection (3) of section 282.203, Florida Statutes, are amended, present paragraphs (e) through (j) of subsection (1) of that section are redesignated as paragraphs (f) through (l), respectively, new paragraphs (e) and (f) are added to that subsection, and paragraphs (k) and (l) are added to subsection (3) of that section, to read:

282.203 Primary data centers.—

(1) DATA CENTER DUTIES.—Each primary data center shall:

(d) Provide transparent financial statements to customer entities*, the center's board of trustees,* and the Agency for Enterprise Information Technology. *The financial statements shall be provided as follows:*

1. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide the total annual budgeted costs by major expenditure category, including, but not limited to, salaries, expense, operating capital outlay, contracted services, or other personnel services, which directly relate to the provision of each service and which separately indicate the administrative overhead allocated to each service.

2. Annually, by July 30 for the current fiscal year and by December 1 for the subsequent fiscal year, the data center must provide total projected billings for each customer entity which are required to recover the costs of the data center.

3. Annually, by January 31, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the current fiscal year.

4. By February 15, for proposed legislative budget increases, the data center must provide updates of the financial statements required under subparagraphs 1. and 2. for the subsequent fiscal year.

The financial information required under subparagraphs 1., 2., and 3. must be based on current law and current appropriations.

(e) Annually, by October 1, submit to the board of trustees cost-reduction proposals, including strategies and timetables for lowering customer entities' costs without reducing the level of services.

(f) By December 31, 2010, submit organizational plans that minimize the annual recurring cost of center operations and eliminate the need for state agency customers to maintain data center skills and staff within their agency. The plans shall:

1. Establish an efficient organizational structure describing the roles and responsibilities of all positions and business units in the centers;

2. Define a human resources planning and management process that shall be used to make required center staffing decisions; and

3. Develop a process for projecting staffing requirements based on estimated workload identified in customer agency service level agreements.

(2) BOARD OF TRUSTEES.—Each primary data center shall be headed by a board of trustees as defined in s. 20.03.

(d) *A majority of the members constitutes a quorum.* The board shall take action by *a* majority vote *of the members if a quorum is present*. If there is a tie, the chair shall be on the prevailing side.

(3) BOARD DUTIES.—Each board of trustees of a primary data center shall:

(a) Employ an executive director, pursuant to s. 20.05, who serves at the pleasure of the board. The executive director is responsible for the daily operation of the primary data center, ensuring compliance with all laws and rules regulating the primary data center, managing primary data center employees, and the performance of the primary data center. *The board shall establish an annual performance evaluation process for the executive director. The appointment of the executive director must be reconfirmed by the board biennially.*

(k) Coordinate with other primary data centers and the Agency for Enterprise Information Technology in order to consolidate purchases of goods and services and lower the cost of providing services to customer entities.

(l) Contract with other primary data centers for the provision of administrative services or with the agency within which the primary data center is housed, whichever is most cost-effective.

Section 4. Section 282.204, Florida Statutes, is amended to read:

282.204 Northwood Shared Resource Center.—

~~(1) A workgroup shall be established within the Department of Children and Family Services for the purpose of developing a plan for converting its data center to a primary data center.~~

~~(a) The workgroup shall be chaired by a member appointed by the secretary of the department. Workgroup members may include other state agencies who will be customers of the data center during the 2009-2010 fiscal year. The workgroup shall include staff members who have appropriate financial and technical skills as determined by the chair of the workgroup.~~

~~(b) The conversion plan shall address organizational changes, personnel changes, cost-allocation plan changes, and any other changes necessary to effectively convert to a primary state data center capable of providing computer services as required by s. 282.201.~~

~~(c) The workgroup shall submit recommendations for facilitating the conversion to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2008.~~

~~(2) Effective July 1, 2009,~~ The Northwood Shared Resource Center is an agency established within the Department of Children and Family Services for administrative purposes only.

(1)~~(a)~~ The center is a primary data center and shall be a separate budget entity that is not subject to control, supervision, or direction of the department in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(2)~~(b)~~ The center shall be headed by a board of trustees as provided in s. 282.203, who shall comply with all requirements of that section

related to the operation of the center and with the rules of the Agency for Enterprise Information Technology related to the design and delivery of enterprise information technology services. ~~The secretary of the department may appoint a temporary board chair for the purpose of convening the board of trustees, selecting a chair, and determining board membership.~~

~~(3) The Department of Children and Family Services and the center shall identify resources associated with information technology functions which are not related to the support, management, and operation of the data center but which currently exist within the same budget entity as the data center. By October 1, 2009, the center shall submit a budget amendment to transfer resources associated with these functions to the department.~~

Section 5. Paragraph (e) is added to subsection (1) of section 282.315, Florida Statutes, to read:

282.315 Agency Chief Information Officers Council; creation.—The Legislature finds that enhancing communication, consensus building, coordination, and facilitation with respect to issues concerning enterprise information technology resources are essential to improving the management of such resources.

(1) There is created an Agency Chief Information Officers Council to:

(e) Annually, by October 1, identify information technology products, as defined in s. 282.0041, which, if purchased in a consolidated manner, would result in savings to the state, and develop recommendations regarding a process for consolidating such purchases. The council shall transmit its recommendations to the Agency for Enterprise Information Technology.

Section 6. Section 282.34, Florida Statutes, is amended to read:

282.34 Statewide e-mail *service* ~~system~~.—A state e-mail system that includes the ~~service~~ delivery and support *of* ~~for a statewide~~ e-mail, messaging, and calendaring *capabilities* ~~service~~ is established as an enterprise information technology service as defined in s. 282.0041. The service shall be designed to meet the needs of all executive branch agencies ~~and reduce the current cost of operation and support~~. *The primary goals of the service are to minimize the state investment required to establish, operate, and support the statewide service; reduce the cost of current e-mail operations and the number of duplicative e-mail systems; and eliminate the need for each state agency to maintain its own e-mail staff.*

(1) The Southwood Shared Resource Center, a primary data center, shall be the provider of the statewide e-mail *service for all state agencies* ~~system~~. The center shall centrally host, manage, ~~and~~ operate*, and support the service, or outsource the hosting, management, operational, or support components of the service in order to achieve the primary goals identified in this section* ~~the e-mail system~~.

(2) The Agency for Enterprise Information Technology, in consultation with the Southwood Shared Resource Center, shall establish and coordinate a multiagency project team to develop a competitive solicitation for establishing the statewide e-mail service.

(a) The Southwood Shared Resource Center shall issue the competitive solicitation by August 31, 2010, with vendor responses required by October 15, 2010. Issuance of the competitive solicitation does not obligate the agency and the center to conduct further negotiations or to execute a contract. The decision to conduct or conclude negotiations, or execute a contract, must be made solely at the discretion of the agency.

(b) The competitive solicitation must include detailed specifications describing:

1. The current e-mail approach for state agencies and the specific business objectives met by the present system.

2. The minimum functional requirements necessary for successful statewide implementation and the responsibilities of the prospective service provider and the agency.

3. The form and required content for submitted proposals, including, but not limited to, a description of the proposed system and its internal and external sourcing options, a 5-year lifecycle-based pricing based on cost per mailbox per month, and a decommissioning approach for current e-mail systems; an implementation schedule and implementation services; a description of e-mail account management, help desk, technical support, and user provisioning services; disaster recovery and backup and restore capabilities; anti-spam and anti-virus capabilities; remote access and mobile messaging capabilities; and staffing requirements.

(c) Other optional requirements specifications may be included in the competitive solicitation if not in conflict with the primary goals of the statewide e-mail service.

(d) The competitive solicitation must permit alternative financial and operational models to be proposed, including, but not limited to:

1. Leasing or usage-based subscription fees;

2. Installing and operating the e-mail service within the Southwood Shared Resource Center or in a data center operated by an external service provider; or

3. Provisioning the e-mail service as an Internet-based offering provided to state agencies. Specifications for proposed models must be optimized to meet the primary goals of the e-mail service.

(3)~~(2)~~ By December 31, *2010* ~~2009~~, *or within 1 month after negotiations are complete, whichever is later, the multiagency project team and* the Agency for Enterprise Information Technology shall *prepare a business case analysis containing its recommendations for procuring the statewide e-mail service for submission* ~~submit a proposed plan for the establishment of the e-mail system~~ to the Governor *and Cabinet*, the President of the Senate, and the Speaker of the House of Representatives. *The business case is not subject to challenge or protest pursuant to chapter 120. The business case must include* ~~The plan shall be developed to reduce costs to the state and include~~, at a minimum:

(a) *An assessment of the major risks that must be managed for each proposal compared to the risks for the current state agency e-mail system and the major benefits that are associated with each* ~~An analysis of the in-house and external sourcing options that should be considered for delivery and support of the service~~. ~~The analysis shall include an internally hosted system option, an externally sourced system option, and, if necessary, a combined in-house and externally sourced option.~~

(b) A cost-benefit analysis that estimates all major cost elements associated with each sourcing option, *focusing on* ~~including~~ the nonrecurring and recurring *lifecycle* costs of each option. The analysis must ~~also~~ include a comparison of the *estimated* total *5-year lifecycle* cost *of the current agency e-mail systems versus* ~~of~~ each enterprise e-mail sourcing option ~~and the total cost of existing e-mail services~~ in order to determine *the feasibility of funding the migration and operation of the statewide e-mail service and* the *overall* level of savings that can be expected. *The 5-year lifecycle costs for each state agency must include, but are not limited to:*

1. The total recurring operating costs of the current agency e-mail systems, including monthly mailbox costs, staffing, licensing and maintenance costs, hardware, and other related e-mail product and service costs.

2. An estimate of nonrecurring hardware and software refresh, upgrade, or replacement costs based on the expected 5-year obsolescence of current e-mail software products and equipment through the 2014 fiscal year, and the basis for the estimate.

3. An estimate of recurring costs associated with the energy consumption of current agency e-mail equipment, and the basis for the estimate.

4. Any other critical costs associated with the current agency e-mail systems which can reasonably be estimated and included in the business case analysis.

~~(c) Estimated expenditures for each state agency associated with e-mail costs for the 2009-2010 fiscal year.~~

~~(d) The plan must identify any existing e-mail infrastructure that should be considered for reuse.~~

~~(e) A concise analysis of the ability of each sourcing option to meet major system requirements, including federal and state requirements for confidentiality, privacy, security, and records retention.~~

~~(f) A complete description of the scope of functionality, operations, and required resources associated with each sourcing option.~~

~~(g) Recommendations for standardizing the format of state e-mail addresses.~~

(c)~~(h)~~ *A comparison of the migrating schedules of each sourcing option to the statewide e-mail service, including the approach and* ~~A reliable~~ schedule for the decommissioning of all *current* state agency e-mail systems *beginning with phase 1 and phase 2 as provided in subsection (4)* ~~and the migration of all agencies to the new system beginning by July 1, 2010, and completing by June 30, 2013~~.

(4) All agencies must be completely migrated to the statewide e-mail service as soon as financially and operationally feasible, but no later than June 30, 2015.

(a) The following statewide e-mail service implementation schedule is established for state agencies:

1. Phase 1.—The following agencies must be completely migrated to the statewide e-mail system by June 30, 2012: the Agency for Enterprise Information Technology; the Department of Community Affairs, including the Division of Emergency Management; the Department of Corrections; the Department of Health; the Department of Highway Safety and Motor Vehicles; the Department of Management Services, including the Division of Administrative Hearings, the Division of Retirement, the Commission on Human Relations, and the Public Employees Relations Commission; the Southwood Shared Resource Center; and the Department of Revenue.

2. Phase 2.—The following agencies must be completely migrated to the statewide e-mail system by June 30, 2013: the Department of Business and Professional Regulation; the Department of Education, including the Board of Governors; the Department of Environmental Protection; the Department of Juvenile Justice; the Department of the Lottery; the Department of State; the Department of Law Enforcement; the Department of Veterans' Affairs; the Judicial Administration Commission; the Public Service Commission; and the Statewide Guardian Ad Litem Office.

3. Phase 3.—The following agencies must be completely migrated to the statewide e-mail system by June 30, 2014: the Agency for Health Care Administration; the Agency for Workforce Innovation; the Department of Financial Services, including the Office of Financial Regulation and the Office of Insurance Regulation; the Department of Agriculture and Consumer Services; the Executive Office of the Governor; the Department of Transportation; the Fish and Wildlife Conservation Commission; the Agency for Persons With Disabilities; the Northwood Shared Resource Center; and the State Board of Administration.

4. Phase 4.—The following agencies must be completely migrated to the statewide e-mail system by June 30, 2015: the Department of Children and Family Services; the Department of Citrus; the Department of Elderly Affairs; and the Department of Legal Affairs.

(b) Agency requests to modify their scheduled implementing date must be submitted in writing to the Agency for Enterprise Information Technology. Any exceptions or modifications to the schedule must be approved by the Agency for Enterprise Information Technology based only on the following criteria:

1. Avoiding nonessential investment in agency e-mail hardware or software refresh, upgrade, or replacement.

2. Avoiding nonessential investment in new software or hardware licensing agreements, maintenance or support agreements, or e-mail staffing for current e-mail systems.

3. Resolving known agency e-mail problems through migration to the statewide e-mail service.

4. Accommodating unique agency circumstances that require an acceleration or delay of the implementation date.

(5)~~(3)~~ In order to develop the *implementation* ~~recommended~~ plan for the *statewide e-mail service* ~~new system~~, the Agency for Enterprise Information Technology shall *establish and coordinate a statewide e-mail project team. The agency shall also* consult with and, as necessary, form workgroups consisting of agency e-mail management staff, agency chief information officers, ~~and~~ agency budget directors*, and other administrative staff. The statewide e-mail implementation plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2011.* ~~State agencies must cooperate with the Agency for Enterprise Technology in its development of the plan.~~

(6)~~(4)~~ Unless authorized by the Legislature or as provided in subsection *(7)* ~~(5)~~, a state agency *may* ~~shall~~ not:

(a) Initiate a new e-mail service *or execute a new e-mail contract or new e-mail contract amendment for nonessential products or services* with any entity other than the provider of the statewide e-mail ~~system~~ service;

(b) Terminate a statewide e-mail ~~system~~ service without giving written notice of termination 180 days in advance; or

(c) Transfer e-mail system services from the provider of the statewide e-mail ~~system~~ service.

(7)~~(5)~~ Exceptions to paragraphs *(6)* ~~(4)~~(a), (b), and (c) may be granted by the Agency for Enterprise Information Technology only if the Southwood Shared Resource Center is unable to meet agency *business requirements for the* e-mail service*, and if such* requirements *are essential to maintain agency operations*. Requests for exceptions must be submitted in writing to the Agency for Enterprise Information Technology and include *documented* confirmation by the Southwood Shared Resource Center board of trustees that it cannot meet the requesting agency's e-mail service requirements.

(8) Each agency shall include the budget issues necessary for migrating to the statewide e-mail service in its legislative budget request before the first full year it is scheduled to migrate to the statewide service in accordance with budget instructions developed pursuant to s. 216.023.

(9) The Agency for Enterprise Information Technology shall adopt rules to standardize the format for state agency e-mail addresses.

(10) State agencies must fully cooperate with the Agency for Enterprise Information Technology in the performance of its responsibilities established in this section.

(11) The Agency for Enterprise Information Technology shall recommend changes to an agency's scheduled date for migration to the statewide e-mail service pursuant to s. 282.34, annually by December 31, until migration to the statewide service is complete.

Section 7. *Section 408.0615, Florida Statutes, is repealed.*

Section 8. Section 17 of chapter 2008-116, Laws of Florida, is amended to read:

Section 17. All data center functions performed, managed, operated, or supported by state agencies with resources and equipment currently located in a state primary data center created by this act, excluding application development, shall be transferred to the primary data center and that agency shall become a full-service customer entity by *December 31,* ~~July 1,~~ 2010. All resources and equipment located in the primary data center shall be operated, managed, and controlled by the primary data center. Data center functions include, but are not limited to, all data center hardware, software, staff, contracted services, and facility resources performing data center management and operations, security, production control, backup and recovery, disaster recovery, system administration, database administration, system programming, job control, production control, print, storage, technical support, help desk, and managed services.

(1) To accomplish the transition, each state agency that is a customer entity of a primary data center shall:

(a) By October 1, 2009, submit a plan to the board of trustees of the appropriate primary data center describing costs and resources currently used to manage and maintain hardware and operating and sup-

port software housed at the primary data center, and a plan for transferring all resources allocated to data center functions to the primary data center. The plan shall:

1. Include the itemized expenditures for all of the related equipment and software in the previous 5 fiscal years.

2. Propose averages or weighted averages for transferring spending authority related to equipment and software based upon spending in the previous 5 fiscal years and projected needs for the upcoming 2 fiscal years.

(b) Submit with its 2010-2011 legislative budget request budget adjustments necessary to accomplish the transfers. These adjustments shall include budget requests to replace existing spending authority in the appropriations categories used to manage, maintain, and upgrade hardware, operating software, and support software with an amount in a single appropriation category to pay for the services of the primary data center.

(2) The board of trustees of each primary data center shall:

(a) Be responsible for the efficient transfer of resources in user agencies relating to the provision of full services and shall coordinate the legislative budget requests of the affected agencies.

(b) Include in its 2010-2011 legislative budget request additional budget authority to accommodate the transferred functions.

(c) Develop proposed cost-recovery plans for its customer entities at its annual budget meeting held before July 1, 2010, using the principles established in s. 282.203, Florida Statutes.

Section 9. Present subsections (25) through (28) of section 282.0041, Florida Statutes, are renumbered as subsections (27) through (30), respectively, and new subsections (25) and (26) are added to that section, to read:

282.0041 Definitions.—As used in this chapter, the term:

(25) "SUNCOM Network" means the state enterprise telecommunications system that provides all methods of electronic or optical telecommunications beyond a single building or contiguous building complex and used by entities authorized as network users under this part.

(26) "Telecommunications" means the science and technology of communication at a distance, including electronic systems used in the transmission or reception of information.

Section 10. Section 282.702, Florida Statutes, is amended to read:

282.702 Powers and duties.—The Department of Management Services shall have the following powers, duties, and functions:

(1) To publish electronically the portfolio of services available from the department, including pricing information; the policies and procedures ~~of the state communications network~~ governing usage of available services; and a forecast of the *department's* priorities *for each telecommunications service* ~~and initiatives for the state communications system for the ensuing 2 years~~.

(2) To adopt technical standards *by rule* for the state *telecommunications* ~~communications~~ network which ~~will~~ ensure the interconnection *and operational security* of computer networks*, telecommunications,* and information systems of agencies.

(3) To enter into agreements related to information technology *and telecommunications services* with state agencies and political subdivisions of the state.

(4) To purchase from or contract with information technology providers for information technology, including private line services.

(5) To apply for, receive, and hold ~~such~~ authorizations, patents, copyrights, trademarks, service marks, licenses, and allocations or channels and frequencies to carry out the purposes of this part.

(6) To purchase, lease, or otherwise acquire and to hold, sell, transfer, license, or otherwise dispose of real, personal, and intellectual property, including, but not limited to, patents, trademarks, copyrights, and service marks.

(7) To cooperate with any federal, state, or local emergency management agency in providing for emergency *telecommunications* ~~communications~~ services.

(8) To control and approve the purchase, lease, or acquisition and the use of *telecommunications* ~~communications~~ services*, software, circuits, and equipment* provided as part of any other total *telecommunications* system to be used by the state or ~~any of~~ its agencies.

(9) To adopt rules pursuant to ss. 120.536(1) and 120.54 relating to *telecommunications* ~~communications~~ and to administer the provisions of this part.

(10) To apply for and accept federal funds for ~~any of~~ the purposes of this part as well as gifts and donations from individuals, foundations, and private organizations.

(11) To monitor issues relating to *telecommunications* ~~communications~~ facilities and services before the Florida Public Service Commission *and the Federal Communications Commission* and, *if* ~~when~~ necessary, prepare position papers, prepare testimony, appear as a witness, and retain witnesses on behalf of state agencies in proceedings before the *commissions* ~~commission~~.

(12) Unless delegated to the agencies by the department, to manage and control, but not intercept or interpret, *telecommunications* ~~communications~~ within the SUNCOM Network by:

(a) Establishing technical standards to physically interface with the SUNCOM Network.

(b) Specifying how *telecommunications* ~~communications~~ are transmitted within the SUNCOM Network.

(c) Controlling the routing of *telecommunications* ~~communications~~ within the SUNCOM Network.

(d) Establishing standards, policies, and procedures for access to *and the security of* the SUNCOM Network.

(e) Ensuring orderly and reliable *telecommunications* ~~communications~~ services in accordance with the service level agreements executed with state agencies.

(13) To plan, design, and conduct experiments for *telecommunications* ~~communications~~ services, equipment, and technologies, and to implement enhancements in the state *telecommunications* ~~communications~~ network *if* ~~when~~ in the public interest and cost-effective. Funding for such experiments *must* ~~shall~~ be derived from SUNCOM Network service revenues and *may* ~~shall~~ not exceed 2 percent of the annual budget for the SUNCOM Network for any fiscal year or as provided in the General Appropriations Act. New services offered as a result of this subsection *may* ~~shall~~ not affect existing rates for facilities or services.

(14) To enter into contracts or agreements, with or without competitive bidding or procurement, to make available, on a fair, reasonable, and nondiscriminatory basis, property and other structures under departmental control for the placement of new facilities by any wireless provider of mobile service as defined in 47 U.S.C. s. 153(27) or s. 332(d) and any telecommunications company as defined in s. 364.02 *if* ~~when~~ it is ~~determined to be~~ practical and feasible to make such property or other structures available. The department may, without adopting a rule, charge a just, reasonable, and nondiscriminatory fee for the placement of the facilities, payable annually, based on the fair market value of space used by comparable *telecommunications* ~~communications~~ facilities in the state. The department and a wireless provider or telecommunications company may negotiate the reduction or elimination of a fee in consideration of services provided to the department by the wireless provider or telecommunications company. All such fees collected by the department shall be deposited directly into the Law Enforcement Radio Operating Trust Fund, and may be used by the department to construct, maintain, or support the system.

(15) Establish policies that ensure that the department's cost-recovery methodologies, billings, receivables, expenditures, budgeting, and accounting data are captured and reported timely, consistently, accurately,

and transparently and are in compliance with all applicable federal and state laws and rules. The department shall annually submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that describes each service and its cost, the billing methodology for recovering the cost of the service, and, if applicable, the identity of those services that are subsidized.

Section 11. Section 282.703, Florida Statutes, is amended to read:

282.703 SUNCOM Network; exemptions from the required use.—

(1) *The SUNCOM Network is established* ~~There is created~~ within the department *as the state enterprise telecommunications* ~~the SUNCOM Network, which shall be developed to serve as the state communications~~ system for providing local and long-distance communications services to state agencies, political subdivisions of the state, municipalities, ~~state universities,~~ and nonprofit corporations pursuant to this part. The SUNCOM Network shall be developed to transmit all types of *telecommunications* ~~communications~~ signals, including, but not limited to, voice, data, video, image, and radio. State agencies shall cooperate and assist in the development and joint use of *telecommunications* ~~communications~~ systems and services.

(2) The department shall design, engineer, implement, manage, and operate through state ownership, commercial leasing, *contracted services,* or some combination thereof, the facilities*,* ~~and~~ equipment*, and contracts* providing SUNCOM Network services, and shall develop a system of equitable billings and charges for *telecommunications* ~~communication~~ services.

(3) The department shall own, manage, and establish standards for the telecommunications addressing and numbering plans for the SUNCOM Network. This includes distributing or revoking numbers and addresses to authorized users of the network and delegating or revoking the delegation of management of subsidiary groups of numbers and addresses to authorized users of the network.

(4) The department shall maintain a directory of information and services which provides the names, phone numbers, and e-mail addresses for employees, agencies, and network devices that are served, in whole or in part, by the SUNCOM Network. State agencies and political subdivisions of the state shall cooperate with the department by providing timely and accurate directory information in the manner established by the department.

(5)~~(3)~~ All state agencies ~~and state universities~~ shall use the SUNCOM Network for agency *telecommunications* ~~and state university communications~~ services as the services become available; however, *an* ~~no~~ agency ~~or university~~ is *not* relieved of responsibility for maintaining *telecommunications* ~~communications~~ services necessary for effective management of its programs and functions.

(a) If a SUNCOM Network service does not meet the *telecommunications* ~~communications~~ requirements of an agency ~~or university~~, the agency *must* ~~or university shall~~ notify the department in writing and detail the requirements for that ~~communications~~ service. If the department is unable to meet an agency's ~~or university's~~ requirements by enhancing SUNCOM Network service, the department may grant the agency ~~or university~~ an exemption from the required use of specified SUNCOM Network services.

(b) Unless an exemption has been granted by the department, effective October 1, 2010, all customers of a state primary data center, excluding state universities, must use the shared SUNCOM Network telecommunications services connecting the state primary data center to SUNCOM services for all telecommunications needs in accordance with department rules.

1. Upon discovery of customer noncompliance with this paragraph, the department shall provide the affected customer with a schedule for transferring to the shared telecommunications services provided by the SUNCOM Network and an estimate of all associated costs. The state primary data centers and their customers shall cooperate with the department to accomplish the transfer.

2. Customers may request an exemption from this paragraph in the same manner as authorized in paragraph (a).

Section 12. Subsection (1) of section 282.707, Florida Statutes, is amended to read:

282.707 SUNCOM Network; criteria for usage.—

(1) The department *and customers served by the department* shall periodically review the qualifications of subscribers using the state SUNCOM Network and ~~shall~~ terminate services provided to *a* ~~any~~ facility not qualified under this part or rules adopted hereunder. In the event of nonpayment of invoices by subscribers whose SUNCOM Network invoices are paid from sources other than legislative appropriations, such nonpayment represents good and sufficient reason to terminate service.

Section 13. *There is appropriated to the Agency for Enterprise Information Technology three full-time equivalent positions and $300,000 in recurring General Revenue in a lump-sum category for implementing the provisions of this act relating to the consolidation of information technology purchases which result in savings to the state.*

Section 14. 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 information technology; amending s. 14.204, F.S.; revising the duties and responsibilities of the Agency for Enterprise Information Technology; requiring that the agency develop standards for information technology services; amending s. 282.201, F.S.; deleting an obsolete provision; requiring that state agencies notify the data center of certain anticipated changes; amending s. 282.203, F.S.; specifying the contents of financial statements that must be provided by primary data centers; requiring that each data center submit to its board of trustees cost-reduction proposals and organizational plans; establishing a quorum for a data center board of trustees; providing additional duties for the board of trustees; amending s. 282.204, F.S.; deleting obsolete provisions relating to the Northwood Shared Resource Center; amending s. 282.315, F.S.; providing an additional duty for the Agency Chief Information Officers Council relating to the consolidated purchase of information technology products; amending s. 282.34, F.S.; revising provisions relating to statewide e-mail services; providing the primary goals for the service; providing for the establishment of a multiagency team to solicit proposals for a statewide service by a certain date; specifying the requirements for competitive solicitation; requiring the multiagency team and the Agency for Enterprise Information Technology to submit a business case analysis to the Governor and Cabinet and the Legislature; requiring the analysis to include agency lifecycle costs; requiring all state agencies to have migrated to the statewide service by a certain date; providing for agency exceptions to the schedule; requiring the Agency for Enterprise Information Technology to submit an implementation plan to the Governor and Legislature by a certain date; requiring that each agency include requirements for migrating to the statewide e-mail service in its legislative budget request; directing the agency to adopt rules; repealing s. 408.0615, F.S., relating to the establishment of a secure facility protecting data held by the Agency for Health Care Administration; amending s. 17 of chapter 2008-116, Laws of Florida; revising the date for transferring data center functions to a primary data center; amending s. 282.0041, F.S.; defining the terms "SUNCOM Network" and "telecommunications;" amending s. 282.702, F.S.; revising the powers and duties of the Department of Management Services with respect to telecommunications services; requiring that the department establish policies with respect to financial accounting and submit an annual report to the Governor and Legislature; amending s. 282.703, F.S.; revising provisions relating to the SUNCOM Network; authorizing the department to establish standards for addresses and numbers and to maintain a directory; requiring all customers of a state primary data center, except for state universities, to use SUNCOM services; providing for certain exemptions; amending s. 282.707, F.S.; requiring the department and customers served by the department to review the qualifications of subscribers using the SUNCOM Network; authorizing additional positions and providing an appropriation; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **CS for SB 2020** was adopted. **CS for SB 2020** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 2374

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 2374, same being:

An act relating to the state group insurance program.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (177758) to CS for SB 2374 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé

s/ Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard

s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
Dave Murzin
H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
Trudi K. Williams

s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
s/ Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
s/ Bryan Nelson
Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 2374, relating to the state employees group insurance program:

- Directs the Department of Management Services to competitively procure post payment claims review services and dependent eligibility verification services for the state group insurance program,
- Places certain requirements on the department regarding contract renewals with health maintenance organizations for the 2011 calendar year, and
- Requires the department to submit specified health plan information to the Legislature as well as recommendations for contracting with health maintenance organizations.

The amendment provides an effective date of July 1, 2010.

Conference Committee Amendment (177758)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Division of State Group Insurance is directed to competitively procure:*

(1) Postpayment claims review services for the state group health insurance plans established pursuant to s. 110.123, Florida Statutes. Compensation under the contract shall be paid from amounts identified as claim overpayments that are made by or on behalf of the health plans and that are recovered by the vendor. The vendor may retain that portion of the amount recovered as provided in the contract. The contract must require the vendor to maintain all necessary documentation supporting the amounts recovered, retained, and remitted to the division; and

(2) A contingency-based contract for dependent eligibility verification services for the state group insurance program; however, compensation under the contract may not exceed historical claim costs for the prior 12 months for the dependent populations disenrolled as a result of the vendor's services. The division may establish a 3-month grace period and hold subscribers harmless for past claims of ineligible dependents. The Department of Management Services shall submit budget amendments pursuant to chapter 216, Florida Statutes, in order to obtain budget authority necessary to expend funds from the State Employees' Group Health Self-Insurance Trust Fund for payments to the vendor as provided

in the contract. The Department of Management Services shall adopt rules providing a process for verifying dependent eligibility.

Section 2. *For the 2011 calendar year, the Department of Management Services may not renew any contract between the department and a state-contracted health maintenance organization if such renewal restricts the authority of the Legislature to modify or limit any benefit or plan option during the calendar year.*

Section 3. *For the state group insurance program, the Department of Management Services shall require costing options for both fully insured and self-insured plan designs, or some combination thereof, as part of the department's solicitation for health maintenance organization contracts. Prior to contracting, the department shall recommend to the Legislature, no later than February 1, 2011, the best value to the State group insurance program relating to health maintenance organizations.*

Section 4. *The Department of Management Services shall solicit information from the private sector through a written request for information which relates to contracting with a single vendor for the financing and outsourcing of a defined contribution plan that will provide a single access point for plan participants to select any option available to them through a full cafeteria plan meeting the requirements and regulations of s. 125 of the Internal Revenue Code. The request for information must seek information from vendors regarding the plan for state employee health benefits which will provide consumer-driven health products and other health insurance options, as well as all other qualified benefits. The vendor shall include design features for risk pooling which will prevent adverse selection, and shall provide information regarding the effects of these features on the state as well as plan participants. The request for information must also ask respondents to identify how they can provide or offer an Internet-based decision-support technology, product portability, and incentives for healthy behaviors and the management of chronic disease and conditions. The request for information must state that eligibility determinations and enrollment administration, the collecting and accounting of payroll deductions or direct-pay benefit contributions, and transfers of employer or employee contributions to a single contracted vendor will remain in-house, but will require that the necessary system provide for an interface between the department and the contracted vendor. The request for information must include a window of time for written questions by interested parties and department answers to ensure that decision-useful information is submitted in response to the request for information. The request for information must also provide the ability for vendors to submit general pricing information. Responses received from vendors as a result of the request for information shall be submitted to the chair of the Senate Ways and Means Committee and the chair of the House Full Appropriations Council on General Government and Health Care by September 30, 2010.*

Section 5. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the state group insurance program; requiring the Division of State Group Insurance to contract for postpayment claims review services for the state group health insurance plans; requiring that compensation under the contract be paid from amounts identified as claim overpayments recovered by the vendor; directing the Division of State Group Insurance to contract for dependent eligibility verification services for the state group insurance program; providing a limitation on compensation to the contract vendor; authorizing a grace period to document eligibility; requiring that the Department of Management Services obtain budget authority to expend certain funds pursuant to the contract; requiring the department to adopt rules; prohibiting the Department of Management Services from renewing any contract with a health maintenance organization if such renewal restricts the Legislature's authority to modify or limit any benefit or plan option during the 2011 calendar year; requiring that the Department of Management Services require costing options for both fully insured and self-insured plan designs under the state employee health insurance program; requiring that the department recommend the best value to the Legislature by a specified date; requiring that the department solicit information from the private sector for financing and outsourcing a defined contribution plan through a written request for information; providing requirements for the written request for information; requiring that responses received from vendors be provided to certain legislative budget chairs by a specified date; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **CS for SB 2374** was adopted. **CS for SB 2374** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 2024

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 2024, same being:

An act relating to the tax on communications and utility services.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (289096) to CS for SB 2024 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair

Joseph Abruzzo
s/ Sandra "Sandy" Adams

s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
Dave Murzin
H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
Trudi K. Williams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 2024, relating to the tax on communications and utility services:

- Reduces the rate of the communication services tax from 6.8% to 6.65%. Increases the Gross receipts tax on communication services from 2.37% to 2.52%.

- Preserves the existing residential exemption for state sales tax on this increased percentage of gross receipts tax, ensuring no person would pay any additional tax.

- Revises the calculation for amount of issuance of Public Education Capital Outlay bonds to be adjusted to reflect the revenues that would have been collected had this legislation been in place throughout the 24-month measurement period.

- Provides that the dealer of communication services, in administering the tax, shall collect a combined rate of 6.8%.

- Provides the Department of Revenue emergency rulemaking authority.

The amendment amends sections 202.12, 202.125, 203.01 and 215.61, Florida Statutes.

The bill is effective upon becoming a law, except that sections 1 through 5 apply to taxable transactions included on bills for service dated on or after August 1, 2010.

Conference Committee Amendment (289096)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) of section 202.12, Florida Statutes, is amended to read:

202.12 Sales of communications services.—The Legislature finds that every person who engages in the business of selling communications services at retail in this state is exercising a taxable privilege. It is the intent of the Legislature that the tax imposed by chapter 203 be administered as provided in this chapter.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction, and the tax is due and payable as follows:

(a) Except as otherwise provided in this subsection, at a rate of *6.65* ~~6.8~~ percent applied to the sales price of the communications service which:

1. Originates and terminates in this state, or

2. Originates or terminates in this state and is charged to a service address in this state,

when sold at retail, computed on each taxable sale for the purpose of remitting the tax due. The gross receipts tax imposed by chapter 203 shall be collected on the same taxable transactions and remitted with the tax imposed by this paragraph. If no tax is imposed by this paragraph by reason of s. 202.125(1), the tax imposed by chapter 203 shall nevertheless be collected and remitted in the manner and at the time prescribed for tax collections and remittances under this chapter.

Section 2. Subsection (1) of section 202.125, Florida Statutes, is amended to read:

202.125 Sales of communications services; specified exemptions.—

(1) The separately stated sales price of communications services sold to residential households is exempt from the tax imposed by s. 202.12 *and s. 203.01(1)(b)3*. This exemption shall not apply to any residence that constitutes all or part of a public lodging establishment as defined in chapter 509, any mobile communications service, any cable service, or any direct-to-home satellite service.

Section 3. Paragraph (b) of subsection (1) of section 203.01, Florida Statutes, is amended to read:

203.01 Tax on gross receipts for utility and communications services.—

(1)

(b)*1.* The rate applied to utility services shall be 2.5 percent.

2. The rate applied to communications services shall be 2.37 percent.

3. There shall be an additional rate of 0.15 percent applied to communication services subject to the tax levied pursuant to s. 202.12(1)(a), (c), and (d). The exemption provided in s. 202.125(1) applies to the tax levied pursuant to this subparagraph.

Section 4. Subsection (3) of section 215.61, Florida Statutes, is amended to read:

215.61 State system of public education capital outlay bonds.—

(3) No bonds authorized by s. 9(a)(2), Art. XII of the State Constitution shall be issued in an amount exceeding 90 percent of the amount which the State Board of Education determines can be serviced by the revenues derived from the gross receipts tax levied and collected pursuant to chapter 203. In determining the amount which can be serviced by the gross receipts tax, the State Board of Education shall *use* ~~utilize~~ the average annual amount of revenue collected for the tax periods during the 24 months immediately preceding the most recent collection date *before* ~~prior to~~ the date of issuance of any such bonds*, adjusted to reflect revenues that would have been collected had legislation enacted into law before the date of determination been in effect during the 24-month period. Such adjustment shall be based on the assumption that the provisions of the enacted legislation had become effective 24 months before the dates contemplated in the legislation.* For purpose of the approval required by s. 215.73, official estimates of future collections furnished by the *State* Board of Education prior to the estimated date of issuance shall be used to determine fiscal sufficiency. ~~However, 100 percent of the amount required to provide for the debt service for the current fiscal year of the bonds issued prior to July 1, 1975, under the provisions of s. 9(a)(2), Art. XII of the State Constitution shall be deducted in making the determination.~~

Section 5. *In complying with sections 1 through 3 of this act, the dealer of communication services may collect a combined rate of 6.8 percent comprised of 6.65 percent and 0.15 percent required by ss. 202.12(1)(a) and 203.01(1)(b)3., Florida Statutes, respectively, as long as the provider properly reflects the tax collected with respect to the two provisions as required in the return to the Department of Revenue.*

Section 6. *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, for the purpose of promulgating such forms and instructions as are required to effectuate this act.*

Section 7. This act shall take effect upon becoming a law, except that sections 1 through 5 of this act apply to taxable transactions included on bills for services dated on or after August 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the tax on communications and utility services; amending s. 202.12, F.S.; decreasing the rate at which the sales price of certain communications services are taxed; amending s. 202.125, F.S., relating to exemptions from the tax; inserting a cross-reference to conform to changes made by the act; amending s. 203.01, F.S.; imposing an additional tax on certain communications services at a specified rate; providing for an exemption to apply to such tax; requiring that the tax on communications services be included on bills dated on or after a specified date; amending s. 215.61, F.S.; requiring that the State Board of Education make specified adjustments to the figures used by the board in determining the amount of bond debt that can be serviced by revenues derived from the gross receipts tax on utility services; requiring that such adjustment be based on a specified assumption; deleting a provision requiring the deduction of amounts used for debt service when determining fiscal sufficiency; authorizing a dealer of communications services to state the combined rate of certain taxes on a bill for a taxable communications services under certain circumstances; authorizing the Department of Revenue to adopt emergency rules to promulgate forms and instructions; providing for the act to apply to bills for communications services dated on or after a certain date; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **CS for SB 2024** was adopted. **CS for SB 2024** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 2386

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 2386, same being:

An act relating to state financial matters.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment (893806) to CS for SB 2386 attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
Dave Murzin
H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
Trudi K. Williams

Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
s/ Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for SB 2386, relating to State Financial Matters, does the following:

- Directs all agencies and the judicial branch to use electronic payment disbursements and receipts for all state payments where possible.

- Requires state purchasing agreements and state term contracts to include provisions which:

  - Defines the scope of work that a contractor must perform.

  - Identifies quantifiable, measurable and verifiable units of deliverables and requires those deliverables to be accepted in writing prior to payment.

  - Specifies the financial consequences for contractor noncompliance.

  - Specifies the ownership rights of any intellectual property related to the contract.

- Requires state agencies to provide specific information to the Department of Financial Services (DFS) when an agency elects not to use the competitive procurement process to award a contract for commodities or services.

- Requires state agencies to review and renegotiate contract renewals and reprocurements with savings to be placed in reserve in OPB.

- Directs agencies to improve enforcement of the Preferred Pricing Clause (PPC) in state contracts and introduce penalties for misrepresentation.

- Repeals sections related to products and materials with recycled content.

- Sets out new processes for competitive solicitation.

- Coordination of Contracted Services between Department of Children and Families, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, and the Department of Veterans Affairs where applicable.

- Declares that each agency is responsible for exercising due diligence to secure full payment of all accounts receivable and other claims due to the state. Requires each agency to submit an annual report to the President of the Senate, the Speaker of the House of Representatives.

- Provides Florida preference language to promote through state contracting the employment of state residents and to maximize use of products made in Florida.

- Appropriates 5 FTE and $311,915 from the General Revenue Fund to the Department of Financial Services to execute the provisions of the bill.

Conference Committee Amendment (893806)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (4) of section 14.204, Florida Statutes, is amended to read:

14.204 Agency for Enterprise Information Technology.—The Agency for Enterprise Information Technology is created within the Executive Office of the Governor.

(4) The agency shall have the following duties and responsibilities:

(d) Plan and establish policies for managing proposed statutorily authorized enterprise information technology services, which includes:

1. Developing business cases that, when applicable, include the components identified in s. *287.0571* ~~287.0574~~;

2. Establishing and coordinating project-management teams;

3. Establishing formal risk-assessment and mitigation processes; and

4. Providing for independent monitoring of projects for recommended corrective actions.

Section 2. Section 17.20, Florida Statutes, is amended to read:

17.20 Assignment of claims for collection.—

(1) The Chief Financial Officer shall charge the state attorneys with the collection of all claims that are placed in their hands for collection of money or property for the state or any county or special district, or that it otherwise requires them to collect. The charges are evidence of indebtedness of a state attorney against whom any charge is made for the full amount of the claim, until the charges have been collected and paid into the treasury of the state or of the county or special district or the legal remedies of the state have been exhausted, or until the state attorney demonstrates to the Chief Financial Officer that the failure to collect the charges is not due to negligence and the Chief Financial Officer has made a proper entry of satisfaction of the charge against the state attorney.

(2) The Chief Financial Officer may assign the collection of any claim to a collection agent *or agents* who *are* ~~is~~ registered and in good standing pursuant to chapter 559, if the Chief Financial Officer determines the assignation to be cost-effective. The Chief Financial Officer may ~~pay an agent from any amount collected under the claim a fee that the Chief Financial Officer and the agent have agreed upon; may authorize the agent to deduct the fee from the amount collected; may require the appropriate state agency, county, or special district to pay the agent the fee from any amount collected by the agent on its behalf; or may~~ authorize the agent *or agents* to add *a* ~~the~~ fee to the amount to be collected.

(3) Each agency shall be responsible for exercising due diligence in securing full payment of all accounts receivable and other claims due the state.

(a) No later than 120 days after the date on which the account or other claim was due and payable, unless another period is approved by the Chief Financial Officer, and after exhausting other lawful measures available to the agency, each agency shall report the delinquent accounts receivable as directed by the Chief Financial Officer to the appropriate collection agent for further action, excluding those agencies that collect delinquent accounts pursuant to independent statutory authority.

(b) An agency that has delinquent accounts receivable, which the agency considers to be of a nature that assignment to a collection agency would be inappropriate, may request in writing for an exemption for those accounts. The request shall fully explain the nature of the delinquent accounts receivable and the reasons the agency believes such accounts would be precluded from being assigned to a collection agency. The Chief Financial Officer shall disapprove the request in writing unless the agency shows that a demonstrative harm to the state will occur as a result of assignment to a collection agency.

(c) Agencies that have delinquent accounts receivable, which accounts are of such a nature that it would not be appropriate to transfer collection of those delinquent accounts to the Chief Financial Officer within 120 days after the date they are due and payable, may request in writing a different period of time for transfer of collection of such accounts. The request shall fully explain the nature of the delinquent accounts receivable and include a recommendation as to an appropriate period.

(4) Beginning October 1, 2010, and each October 1 thereafter, each agency shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Chief Financial Officer which includes:

(a) A detailed list and total of all accounts that were referred for collection and the status of such accounts, including the date referred, any amounts collected, and the total that remains uncollected.

(b) A list and total of all delinquent accounts that were not referred to a collection agency, the reasons for not referring those accounts, and the actions taken by the agency to collect.

(c) A list of all accounts or claims, including a description and the total amount of each account or claim, which were written off or waived by the agency for any reason during the prior fiscal year, the reason for being written off, and whether any of those accounts continue to be pursued by a collection agent.

(5) Beginning December 1, 2010, and each December 1 thereafter, the Chief Financial Officer shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that details the following information for any contracted collection agent:

(a) The amount of claims referred for collection by each agency, cumulatively and annually.

(b) The number of accounts by age and amount.

(c) A listing of those agencies that failed to report known claims to the Chief Financial Officer in a timely manner as prescribed in subsection (3).

(d) The total amount of claims collected, cumulatively and annually.

(6)~~(3)~~ Notwithstanding any other provision of law, in any contract providing for the location or collection of unclaimed property, the Chief Financial Officer may authorize the contractor to deduct its fees and expenses for services provided under the contract from the unclaimed property that the contractor has recovered or collected under the contract. The Chief Financial Officer shall annually report to the Governor, President of the Senate, and the Speaker of the House of Representatives the total amount collected or recovered by each contractor during the previous fiscal year and the total fees and expenses deducted by each contractor.

Section 3. Section 17.29, Florida Statutes, is amended to read:

17.29 Authority to prescribe rules.—The Chief Financial Officer may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter and *the* duties assigned by statute or the State Constitution. Such rules may include, but are not limited to, the following:

(1) Procedures or policies relating to the processing of payments from salaries, other personal services, or any other applicable appropriation.

(2) Procedures for processing interagency and intraagency payments *that* ~~which~~ do not require the issuance of a state warrant.

(3) Procedures or policies requiring that payments made by the state for goods, services, or anything of value be made by electronic means, including, but not limited to, debit cards, credit cards, or electronic funds transfers.

(4) A method that reasonably accommodates persons who, because of technological, financial, or other hardship, may not be able to receive payments by electronic means. The Chief Financial Officer may make payments by state warrant if deemed administratively necessary.

Section 4. Subsection (1) of section 43.16, Florida Statutes, is amended to read:

43.16 Justice Administrative Commission; membership, powers and duties.—

(1) There is hereby created a Justice Administrative Commission, with headquarters located in the state capital. The necessary office space for use of the commission shall be furnished by the proper state agency in charge of state buildings. For purposes of the fees imposed on agencies pursuant to s. 287.057*(22)*~~(23)~~, the Justice Administrative Commission shall be exempt from such fees.

Section 5. Paragraph (e) of subsection (1) of section 61.1826, Florida Statutes, is amended to read:

61.1826 Procurement of services for State Disbursement Unit and the non-Title IV-D component of the State Case Registry; contracts and cooperative agreements; penalties; withholding payment.—

(1) LEGISLATIVE FINDINGS.—The Legislature finds that the clerks of court play a vital role, as essential participants in the establishment, modification, collection, and enforcement of child support, in securing the health, safety, and welfare of the children of this state. The Legislature further finds and declares that:

(e) The potential loss of substantial federal funds poses a direct and immediate threat to the health, safety, and welfare of the children and citizens of the state and constitutes an emergency for purposes of s. 287.057*(3)*~~(5)~~(a).

For these reasons, the Legislature hereby directs the Department of Revenue, subject to the provisions of subsection (5), to contract with the Florida Association of Court Clerks and each depository to perform duties with respect to the operation and maintenance of a State Disbursement Unit and the non-Title IV-D component of the State Case Registry as further provided by this section.

Section 6. Paragraph (h) of subsection (1) of section 112.3215, Florida Statutes, is amended to read:

112.3215 Lobbying before the executive branch or the Constitution Revision Commission; registration and reporting; investigation by commission.—

(1) For the purposes of this section:

(h) "Lobbyist" means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. "Lobbyist" does not include a person who is:

1. An attorney, or any person, who represents a client in a judicial proceeding or in a formal administrative proceeding conducted pursuant to chapter 120 or any other formal hearing before an agency, board, commission, or authority of this state.

2. An employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.

3. A confidential informant who is providing, or wishes to provide, confidential information to be used for law enforcement purposes.

4. A person who lobbies to procure a contract pursuant to chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in s. 287.017~~(1)(a)~~.

Section 7. Section 215.322, Florida Statutes, is amended to read:

215.322 Acceptance of credit cards, charge cards, ~~or~~ debit cards*, or electronic funds transfers* by state agencies, units of local government, and the judicial branch.—

(1) It is the intent of the Legislature to encourage state agencies, the judicial branch*,* and units of local government to make their goods, services, and information more convenient to the public through the acceptance of payments by credit cards, charge cards, ~~and~~ debit cards*, or other means of electronic funds transfers* to the maximum extent practicable when the benefits to the participating agency and the public substantiate the cost of accepting these types of payments.

(2) A state agency as defined in s. 216.011, or the judicial branch, may accept credit cards, charge cards, ~~or~~ debit cards*, or electronic funds transfers* in payment for goods and services with the prior approval of the Chief Financial Officer. If the Internet or other related electronic methods are to be used as the collection medium, the Agency for Enterprise Information Technology shall review and recommend to the Chief Financial Officer whether to approve the request with regard to the process or procedure to be used.

(3) The Chief Financial Officer shall adopt rules governing the establishment and acceptance of credit cards, charge cards, ~~or~~ debit cards*, or electronic funds transfers* by state agencies or the judicial branch, including, but not limited to, the following:

(a) *Use* ~~Utilization~~ of a standardized contract between the financial institution or other appropriate intermediaries and the agency or judicial branch which shall be developed by the Chief Financial Officer or approval by the Chief Financial Officer of a substitute agreement.

(b) Procedures *that* ~~which~~ permit an agency or officer accepting payment by credit card, charge card, ~~or~~ debit card*, or electronic funds transfer* to impose a convenience fee upon the person making the payment. However, the total amount of such convenience fees *may* ~~shall~~ not exceed the total cost to the state agency. A convenience fee is not refundable to the payor. *However* ~~Notwithstanding the foregoing~~, this section *does* ~~shall~~ not ~~be construed to~~ permit *the imposition of* surcharges on any other credit card purchase in violation of s. 501.0117.

(c) All service fees payable pursuant to this section ~~when practicable~~ shall be invoiced and paid by state warrant or such other manner that is satisfactory to the Chief Financial Officer in accordance with the time periods specified in s. 215.422*, if practicable*.

(d) Submission of information to the Chief Financial Officer concerning the acceptance of credit cards, charge cards, ~~or~~ debit cards*, or electronic funds transfers* by all state agencies or the judicial branch.

(e) A methodology for agencies to use when completing the cost-benefit analysis referred to in subsection (1). The methodology must consider all quantifiable cost reductions, other benefits to the agency, and *the* potential impact on general revenue. The methodology must also consider nonquantifiable benefits such as the convenience to individuals and businesses that would benefit from the ability to pay for state goods and services through the use of credit cards, charge cards, ~~and~~ debit cards*, or electronic funds transfers*.

(4) The Chief Financial Officer may establish contracts with one or more financial institutions, credit card companies, or other entities *that* ~~which~~ may lawfully provide such services, in a manner consistent with chapter 287, for processing credit card, charge card, ~~or~~ debit card*, or electronic funds transfer* collections for deposit into the State Treasury or another qualified public depository. Any state agency, or the judicial branch, which accepts payment by credit card, charge card, ~~or~~ debit card*, or electronic funds transfer* shall use at least one of the contractors established by the Chief Financial Officer*,* unless the state agency or judicial branch obtains authorization from the Chief Financial Officer to use another contractor *that* ~~which~~ is more advantageous to *the* ~~such~~ state agency or the judicial branch. *The* ~~Such~~ contracts may authorize a unit of local government to use the services upon the same terms and conditions for deposit of credit card, charge card, ~~or~~ debit card*, or electronic funds transfer* transactions into its qualified public depositories.

(5) A unit of local government, *including* ~~which term means~~ a municipality, special district, or board of county commissioners or other governing body of a county, ~~however styled, including that of~~ a consolidated or metropolitan government, and ~~means~~ any clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of elections, is authorized to accept payment by use of credit cards, charge cards, ~~and~~ bank debit cards*, and electronic funds transfers* for financial obligations that are owing to such unit of local government and to surcharge the person who uses a credit card, charge card, ~~or~~ bank debit card*, or electronic funds transfer* in payment of taxes, license fees, tuition, fines, civil penalties, court-ordered payments, or court costs, or other statutorily prescribed revenues an amount sufficient to pay the service fee charges by the financial institution, vending service company, or credit card company for such services. A unit of local government shall verify both the validity of any credit card, charge card, ~~or~~ bank debit card*, or electronic funds transfer* used pursuant to this subsection and the existence of appropriate credit with respect to the person using the card *or transfer*. The unit of local government does not incur any liability as a result of such verification or any subsequent action taken.

(6) Any action required to be performed by a state officer or agency pursuant to this section shall be performed within 10 working days after receipt of the request for approval or be deemed approved if not acted upon within that time.

(7) ~~Nothing contained in~~ This section *does not* ~~shall be construed to~~ prohibit a state agency or the judicial branch from continuing to accept charge cards*,* ~~or~~ debit cards*, or electronic funds transfers* pursuant to a contract *that* ~~which~~ was lawfully entered into *before* ~~prior to~~ the effective date of this act*,* unless specifically directed otherwise in the General Appropriations Act. However, such contract *may* ~~shall~~ not be extended or renewed after the effective date of this act unless such renewal and extension conforms to the requirements of this section.

(8) When deemed administratively necessary, a state agency, as defined in s. 216.011, or the judicial branch may adopt rules requiring that payments for goods, services, or anything of value be made by electronic means, including, but not limited to, credit cards, charge cards, debit cards, or electronic funds transfers. However, the rules may not conflict with any similar rules adopted by the Chief Financial Officer. The rules must provide a method to reasonably accommodate persons who, because of technological, financial, or other hardship, may not be able to make payment by electronic means.

(9) For payment programs in which credit cards, charge cards, or debit cards are accepted by state agencies, the judicial branch, or units of local government, the Chief Financial Officer, in consultation with the Agency for Enterprise Information Technology, may adopt rules to establish uniform security safeguards for cardholder data and to ensure compliance with the Payment Card Industry Data Security Standards.

Section 8. Section 215.971, Florida Statutes, is created to read:

215.971 Agreements funded with federal and state assistance.—For an agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, the agreement shall include:

(1) A provision specifying a scope of work that clearly establishes the tasks that the recipient or subrecipient is required to perform; and

(2) A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

Section 9. Section 216.3475, Florida Statutes, is amended to read:

216.3475 Maximum rate of payment for services funded under General Appropriations Act or awarded on a noncompetitive basis.—A person or entity that is designated by the General Appropriations Act, or that is awarded funding on a noncompetitive basis, to provide services for which funds are appropriated by that act may not receive a rate of payment in excess of the competitive prevailing rate for those services unless expressly authorized in the General Appropriations Act. *Each agency shall maintain records to support a cost analysis, which includes a detailed budget submitted by the person or entity awarded funding and the agency's documented review of individual cost elements from the submitted budget for allowability, reasonableness, and necessity.*

Section 10. Subsection (6) of section 255.249, Florida Statutes, is amended to read:

255.249 Department of Management Services; responsibility; department rules.—

(6) The department may contract for real estate consulting or tenant brokerage services in order to carry out its duties relating to the strategic leasing plan. The contract shall be procured pursuant to s. 287.057. The vendor that is awarded the contract shall be compensated by the department, subject to the provisions of the contract, and such compensation is subject to appropriation by the Legislature. The real estate consultant or tenant broker may not receive compensation directly from a lessor for services that are rendered pursuant to the contract. ~~Moneys paid to the real estate consultant or tenant broker are exempt from any charge imposed under s. 287.1345.~~ Moneys paid by a lessor to the department under a facility-leasing arrangement are not subject to the charges imposed under s. 215.20.

Section 11. Paragraph (h) of subsection (3) of section 255.25, Florida Statutes, is amended to read:

255.25 Approval required prior to construction or lease of buildings.—

(3)

(h) The Department of Management Services may, pursuant to s. 287.042(2)(a), procure a term contract for real estate consulting and

brokerage services. A state agency may not purchase services from the contract unless the contract has been procured under s. 287.057(1)~~, (2), or (3)~~ after March 1, 2007, and contains the following provisions or requirements:

1. Awarded brokers must maintain an office or presence in the market served. In awarding the contract, preference must be given to brokers that are licensed in this state under chapter 475 and that have 3 or more years of experience in the market served. The contract may be made with up to three tenant brokers in order to serve the marketplace in the north, central, and south areas of the state.

2. Each contracted tenant broker shall work under the direction, supervision, and authority of the state agency, subject to the rules governing lease procurements.

3. The department shall provide training for the awarded tenant brokers concerning the rules governing the procurement of leases.

4. Tenant brokers must comply with all applicable provisions of s. 475.278.

5. Real estate consultants and tenant brokers shall be compensated by the state agency, subject to the provisions of the term contract, and such compensation is subject to appropriation by the Legislature. A real estate consultant or tenant broker may not receive compensation directly from a lessor for services that are rendered under the term contract. ~~Moneys paid to a real estate consultant or tenant broker are exempt from any charge imposed under s. 287.1345.~~ Moneys paid by a lessor to the state agency under a facility leasing arrangement are not subject to the charges imposed under s. 215.20. All terms relating to the compensation of the real estate consultant or tenant broker shall be specified in the term contract and may not be supplemented or modified by the state agency using the contract.

6. The department shall conduct periodic customer-satisfaction surveys.

7. Each state agency shall report the following information to the department:

a. The number of leases that adhere to the goal of the workspace-management initiative of 180 square feet per FTE.

b. The quality of space leased and the adequacy of tenant-improvement funds.

c. The timeliness of lease procurement, measured from the date of the agency's request to the finalization of the lease.

d. Whether cost-benefit analyses were performed before execution of the lease in order to ensure that the lease is in the best interest of the state.

e. The lease costs compared to market rates for similar types and classifications of space according to the official classifications of the Building Owners and Managers Association.

Section 12. Subsections (2) and (3) of section 283.32, Florida Statutes, are amended to read:

283.32 Recycled paper to be used by each agency; printing bids certifying use of recycled paper; percentage preference in awarding contracts.—

(2) Each agency shall require a vendor that submits a bid for a contract for printing ~~and that wishes to be considered for the price preference described in s. 287.045~~ to certify in writing the percentage of recycled content of the material used for such printing. Such vendor may certify that the material contains no recycled content.

(3) Upon evaluation of bids for each printing contract, the agency shall identify the lowest responsive bid and any other responsive bids in which it has been certified that the materials used in printing contain at least the minimum percentage of recycled content that is set forth by the department. ~~In awarding a contract for printing, the agency may allow up to a 10 percent price preference, as provided in s. 287.045, to a responsible and responsive vendor that has certified that the materials used in printing contain at least the minimum percentage of recycled content established by the department.~~ If no vendors offer materials for printing that contain the minimum prescribed recycled content, the contract shall be awarded to the responsible vendor that submits the lowest responsive bid.

Section 13. Paragraph (a) of subsection (2) of section 286.0113, Florida Statutes, is amended to read:

286.0113 General exemptions from public meetings.—

(2)(a) A meeting at which a negotiation with a vendor is conducted pursuant to s. 287.057*(1)*~~(3)~~ is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

Section 14. Section 287.012, Florida Statutes, is amended to read:

287.012 Definitions.—As used in this part, the term:

(1) "Agency" means any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. "Agency" does not include the university and college boards of trustees or the state universities and colleges.

(2) "Agency head" means, with respect to an agency headed by a collegial body, the executive director or chief administrative officer of the agency.

(3) *"Artistic services"* ~~"Artist"~~ means *the rendering by a contractor of its time and effort to create or perform an artistic work in the fields* ~~an individual or group of individuals who profess and practice a demonstrated creative talent and skill in the area~~ of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio, or tape and sound recording ~~or in any other related field~~.

(4) "Best value" means the highest overall value to the state based on objective factors that include, but are not limited to, price, quality, design, and workmanship.

(5) "Commodity" means any of the various supplies, materials, goods, merchandise, food, equipment, information technology, and other personal property, including a mobile home, trailer, or other portable structure with floor space of less than 5,000 square feet, purchased, leased, or otherwise contracted for by the state and its agencies. "Commodity" also includes interest on deferred-payment commodity contracts approved pursuant to s. 287.063 entered into by an agency for the purchase of other commodities. However, commodities purchased for resale are excluded from this definition. ~~Further, a prescribed drug, medical supply, or device required by a licensed health care provider as a part of providing health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration for clients at the time the service is provided is not considered to be a "commodity."~~ Printing of publications shall be considered a commodity when let upon contract pursuant to s. 283.33, whether purchased for resale or not.

(6) "Competitive *solicitation* ~~sealed bids,~~" ~~"competitive sealed proposals," or "competitive sealed replies"~~ means the process of *requesting and* receiving two or more sealed bids, proposals, or replies submitted by responsive vendors *in accordance with the terms of a competitive process, regardless of the method of procurement* ~~and includes bids, proposals, or replies transmitted by electronic means in lieu of or in addition to written bids, proposals, or replies~~.

~~(7) "Competitive solicitation" or "solicitation" means an invitation to bid, a request for proposals, or an invitation to negotiate.~~

(7)~~(8)~~ "Contractor" means a person who contracts to sell commodities or contractual services to an agency.

(8)~~(9)~~ "Contractual service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and profes-

sional, technical, and social services. "Contractual service" does not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to chapter 255 and rules adopted thereunder.

(9)~~(10)~~ "Department" means the Department of Management Services.

(10)~~(11)~~ "Electronic posting" or "electronically post" means the *noticing* ~~posting~~ of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website designated by the department for this purpose.

(11)~~(12)~~ "Eligible user" means any person or entity authorized by the department pursuant to rule to purchase from state term contracts or to use the online procurement system.

(12)~~(13)~~ "Exceptional purchase" means any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source; purchases upon receipt of less than two responsive bids, proposals, or replies; purchases made by an agency, after receiving approval from the department, from a contract procured, pursuant to s. 287.057(1), *or* ~~(2), or (3),~~ by another agency; and purchases made without advertisement in the manner required by s. 287.042(3)(b).

(13)~~(14)~~ "Extension" means an increase in the time allowed for the contract period due to circumstances which, without fault of either party, make performance impracticable or impossible, or which prevent a new contract from being executed, with or without a proportional increase in the total dollar amount, with any increase to be based on the method and rate previously established in the contract.

(14)~~(15)~~ "Information technology" has the meaning ascribed in s. 282.0041.

(15)~~(16)~~ "Invitation to bid" means a written *or electronically posted* solicitation for competitive sealed bids. ~~The invitation to bid is used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is electronically posted.~~

(16)~~(17)~~ "Invitation to negotiate" means a written *or electronically posted* solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. ~~The invitation to negotiate is used when the agency determines that negotiations may be necessary for the state to receive the best value. A written solicitation includes a solicitation that is electronically posted.~~

(17)~~(18)~~ "Minority business enterprise" has the meaning ascribed in s. 288.703.

(18)~~(19)~~ "Office" means the Office of Supplier Diversity of the Department of Management Services.

(19) "Outsource" means the process of contracting with a vendor to provide a service as defined in s. 216.011(1)(f), in whole or in part, or an activity as defined in s. 216.011(1)(rr), while a state agency retains the responsibility and accountability for the service or activity and there is a transfer of management responsibility for the delivery of resources and the performance of those resources.

(20) "Renewal" means contracting with the same contractor for an additional contract period after the initial contract period, only if pursuant to contract terms specifically providing for such renewal.

(21) "Request for information" means a written *or electronically posted* request made by an agency to vendors for information concerning commodities or contractual services. Responses to these requests are not offers and may not be accepted by the agency to form a binding contract.

(22) "Request for proposals" means a written *or electronically posted* solicitation for competitive sealed proposals. ~~The request for proposals is used when it is not practicable for the agency to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the agency is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is electronically posted.~~

(23) "Request for a quote" means an oral or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor.

(24) "Responsible vendor" means a vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.

(25) "Responsive bid," "responsive proposal," or "responsive reply" means a bid, or proposal, or reply submitted by a responsive and responsible vendor that conforms in all material respects to the solicitation.

(26) "Responsive vendor" means a vendor that has submitted a bid, proposal, or reply that conforms in all material respects to the solicitation.

(27) "State term contract" means a term contract that is competitively procured by the department pursuant to s. 287.057 and that is used by agencies and eligible users pursuant to s. 287.056.

(28) "Term contract" means an indefinite quantity contract to furnish commodities or contractual services during a defined period.

Section 15. Section 287.017, Florida Statutes, is amended to read:

287.017 Purchasing categories, threshold amounts~~; procedures for automatic adjustment by department~~.—

~~(1)~~ The following purchasing categories are hereby created:

(1)~~(a)~~ CATEGORY ONE: *$20,000* ~~$15,000~~.

(2)~~(b)~~ CATEGORY TWO: *$35,000* ~~$25,000~~.

(3)~~(c)~~ CATEGORY THREE: *$65,000* ~~$50,000~~.

(4)~~(d)~~ CATEGORY FOUR: *$195,000* ~~$150,000~~.

(5)~~(e)~~ CATEGORY FIVE: *$325,000* ~~$250,000~~.

~~(2) The department shall adopt rules to adjust the amounts provided in subsection (1) based upon the rate of change of a nationally recognized price index. Such rules shall include, but not be limited to, the following:~~

~~(a) Designation of the nationally recognized price index or component thereof used to calculate the proper adjustment authorized in this section.~~

~~(b) The procedure for rounding results.~~

~~(c) The effective date of each adjustment based upon the previous calendar year data.~~

Section 16. Subsection (1) of section 287.022, Florida Statutes, is amended to read:

287.022 Purchase of insurance.—

(1) Insurance, while not a commodity, nevertheless shall be purchased for all agencies by the department, except that agencies may purchase title insurance for land acquisition and may make emergency purchases of insurance pursuant to s. 287.057*(3)*~~(5)~~(a). The procedures for purchasing insurance, whether the purchase is made by the department or by the agencies, shall be the same as those set forth herein for the purchase of commodities.

Section 17. *Section 287.045, Florida Statutes, is repealed.*

Section 18. Subsections (1) and (2) of section 287.056, Florida Statutes, are amended to read:

287.056 Purchases from purchasing agreements and state term contracts.—

(1) Agencies shall, and eligible users may, purchase commodities and contractual services from purchasing agreements established and state term contracts procured, pursuant to s. 287.057, by the department. *Each agency agreement made under this subsection shall include:*

(a) A provision specifying a scope of work that clearly establishes all tasks that the contractor is required to perform.

(b) A provision dividing the contract into quantifiable, measurable, and verifiable units of deliverables that must be received and accepted in writing by the contract manager before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

(2) Agencies may have the option to purchase commodities or contractual services from state term contracts procured, pursuant to s. 287.057, by the department ~~which contain a user surcharge pursuant to s. 287.1345 as determined by the department~~.

Section 19. Section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(1) The competitive solicitation processes authorized in this section shall be used for procurement of commodities or contractual services in excess of the threshold amount provided for CATEGORY TWO in s. 287.017. Any competitive solicitation shall be made available simultaneously to all vendors, must include the time and date for the receipt of bids, proposals, or replies and of the public opening, and must include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal, or reply.

(a) Invitation to bid.—The invitation to bid shall be used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required.

1. All invitations to bid must include:

a. A detailed description of the commodities or contractual services sought; and

b. If the agency contemplates renewal of the contract, a statement to that effect.

2. Bids submitted in response to an invitation to bid in which the agency contemplates renewal of the contract must include the price for each year for which the contract may be renewed.

3. Evaluation of bids shall include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor.

(b) Request for proposals.—An agency shall use a request for proposals when the purposes and uses for which the commodity, group of commodities, or contractual service being sought can be specifically defined and the agency is capable of identifying necessary deliverables. Various combinations or versions of commodities or contractual services may be proposed by a responsive vendor to meet the specifications of the solicitation document.

1. Before issuing a request for proposals, the agency must determine and specify in writing the reasons that procurement by invitation to bid is not practicable.

2. All requests for proposals must include:

a. A statement describing the commodities or contractual services sought;

b. The relative importance of price and other evaluation criteria; and

c. If the agency contemplates renewal of the contract, a statement to that effect.

3. Criteria that will be used for evaluation of proposals shall include, but are not limited to:

a. Price, which must be specified in the proposal;

b. If the agency contemplates renewal of the contract, the price for each year for which the contract may be renewed; and

c. Consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor.

4. The contract shall be awarded by written notice to the responsible and responsive vendor whose proposal is determined in writing to be the most advantageous to the state, taking into consideration the price and other criteria set forth in the request for proposals. The contract file shall contain documentation supporting the basis on which the award is made.

(c) Invitation to negotiate.—The invitation to negotiate is a solicitation used by an agency which is intended to determine the best method for achieving a specific goal or solving a particular problem and identifies one or more responsive vendors with which the agency may negotiate in order to receive the best value.

1. Before issuing an invitation to negotiate, the head of an agency must determine and specify in writing the reasons that procurement by an invitation to bid or a request for proposal is not practicable.

2. The invitation to negotiate must describe the questions being explored, the facts being sought, and the specific goals or problems that are the subject of the solicitation.

3. The criteria that will be used for determining the acceptability of the reply and guiding the selection of the vendors with which the agency will negotiate must be specified.

4. The agency shall evaluate replies against all evaluation criteria set forth in the invitation to negotiate in order to establish a competitive range of replies reasonably susceptible of award. The agency may select one or more vendors within the competitive range with which to commence negotiations. After negotiations are conducted, the agency shall award the contract to the responsible and responsive vendor that the agency determines will provide the best value to the state, based on the selection criteria.

5. The contract file for a vendor selected through an invitation to negotiate must contain a short plain statement that explains the basis for the selection of the vendor and that sets forth the vendor's deliverables and price, pursuant to the contract, along with an explanation of how these deliverables and price provide the best value to the state.

~~(1)(a) Unless otherwise authorized by law, all contracts for the purchase of commodities or contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO shall be awarded by competitive sealed bidding. An invitation to bid shall be made available simultaneously to all vendors and must include a detailed description of the commodities or contractual services sought; the time and date for the receipt of bids and of the public opening; and all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability of the bid. If the agency contemplates renewal of the contract, that fact must be stated in the invitation to bid. The bid shall include the price for each year for which the contract may be renewed. Evaluation of bids shall include consideration of the total cost for each year as submitted by the vendor. Criteria that were not set forth in the invitation to bid may not be used in determining acceptability of the bid.~~

~~(b) The contract shall be awarded with reasonable promptness by written notice to the responsible and responsive vendor that submits the lowest responsive bid. This bid must be determined in writing to meet the requirements and criteria set forth in the invitation to bid.~~

~~(2)(a) If an agency determines in writing that the use of an invitation to bid is not practicable, commodities or contractual services shall be procured by competitive sealed proposals. A request for proposals shall be made available simultaneously to all vendors, and must include a statement of the commodities or contractual services sought; the time~~

~~and date for the receipt of proposals and of the public opening; and all contractual terms and conditions applicable to the procurement, including the criteria, which shall include, but need not be limited to, price, to be used in determining acceptability of the proposal. The relative importance of price and other evaluation criteria shall be indicated. If the agency contemplates renewal of the commodities or contractual services contract, that fact must be stated in the request for proposals. The proposal shall include the price for each year for which the contract may be renewed. Evaluation of proposals shall include consideration of the total cost for each year as submitted by the vendor.~~

~~(b) The contract shall be awarded to the responsible and responsive vendor whose proposal is determined in writing to be the most advantageous to the state, taking into consideration the price and the other criteria set forth in the request for proposals. The contract file shall contain documentation supporting the basis on which the award is made.~~

~~(3)(a) If the agency determines in writing that the use of an invitation to bid or a request for proposals will not result in the best value to the state, the agency may procure commodities and contractual services by competitive sealed replies. The agency's written determination must specify reasons that explain why negotiation may be necessary in order for the state to achieve the best value and must be approved in writing by the agency head or his or her designee prior to the advertisement of an invitation to negotiate. An invitation to negotiate shall be made available to all vendors simultaneously and must include a statement of the commodities or contractual services sought; the time and date for the receipt of replies and of the public opening; and all terms and conditions applicable to the procurement, including the criteria to be used in determining the acceptability of the reply. If the agency contemplates renewal of the contract, that fact must be stated in the invitation to negotiate. The reply shall include the price for each year for which the contract may be renewed.~~

~~(b) The agency shall evaluate and rank responsive replies against all evaluation criteria set forth in the invitation to negotiate and shall select, based on the ranking, one or more vendors with which to commence negotiations. After negotiations are conducted, the agency shall award the contract to the responsible and responsive vendor that the agency determines will provide the best value to the state. The contract file must contain a short plain statement that explains the basis for vendor selection and that sets forth the vendor's deliverables and price, pursuant to the contract, with an explanation of how these deliverables and price provide the best value to the state.~~

(2)~~(4)~~ Prior to the time for receipt of bids, proposals, or replies, an agency may conduct a conference or written question and answer period for purposes of assuring the vendor's full understanding of the solicitation requirements. The vendors shall be accorded fair and equal treatment.

(3)~~(5)~~ When the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, no purchase of commodities or contractual services may be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies unless:

(a) The agency head determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the state requires emergency action. After the agency head makes such a written determination, the agency may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies. However, such emergency procurement shall be made by obtaining pricing information from at least two prospective vendors, which must be retained in the contract file, unless the agency determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the state. The agency shall furnish copies of all written determinations certified under oath and any other documents relating to the emergency action to the department. A copy of the statement shall be furnished to the Chief Financial Officer with the voucher authorizing payment. The individual purchase of personal clothing, shelter, or supplies which are needed on an emergency basis to avoid institutionalization or placement in a more restrictive setting is an emergency for the purposes of this paragraph, and the filing with the department of such statement is not required in such circumstances. In the case of the emergency purchase of insurance, the period of coverage of such insurance shall not exceed a period of 30 days, and all such emergency purchases shall be reported to the department.

(b) The purchase is made by an agency from a state term contract procured, pursuant to this section, by the department or by an agency, after receiving approval from the department, from a contract procured, pursuant to subsection (1), ~~subsection (2), or subsection (3),~~ by another agency.

(c) Commodities or contractual services available only from a single source may be excepted from the competitive-solicitation requirements. When an agency believes that commodities or contractual services are available only from a single source, the agency shall electronically post a description of the commodities or contractual services sought for a period of at least 7 business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. If it is determined in writing by the agency, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the agency shall:

1. Provide notice of its intended decision to enter a single-source purchase contract in the manner specified in s. 120.57(3), if the amount of the contract does not exceed the threshold amount provided in s. 287.017 for CATEGORY FOUR.

2. Request approval from the department for the single-source purchase, if the amount of the contract exceeds the threshold amount provided in s. 287.017 for CATEGORY FOUR. The agency shall initiate its request for approval in a form prescribed by the department, which request may be electronically transmitted. The failure of the department to approve or disapprove the agency's request for approval within 21 days after receiving such request shall constitute prior approval of the department. If the department approves the agency's request, the agency shall provide notice of its intended decision to enter a single-source contract in the manner specified in s. 120.57(3).

(d) When it is in the best interest of the state, the secretary of the department or his or her designee may authorize the Support Program to purchase insurance by negotiation, but such purchase shall be made only under conditions most favorable to the public interest.

(e) Prescriptive assistive devices for the purpose of medical, developmental, or vocational rehabilitation of clients are excepted from competitive-solicitation requirements and shall be procured pursuant to an established fee schedule or by any other method which ensures the best price for the state, taking into consideration the needs of the client. Prescriptive assistive devices include, but are not limited to, prosthetics, orthotics, and wheelchairs. For purchases made pursuant to this paragraph, state agencies shall annually file with the department a description of the purchases and methods of procurement.

(f) The following contractual services and commodities are not subject to the competitive-solicitation requirements of this section:

1. Artistic services. For the purposes of this subsection, the term "artistic services" does not include advertising *or typesetting*. As used in this subparagraph, the term "advertising" means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.

2. Academic program reviews *if the fee for such services does not exceed $50,000*.

3. Lectures by individuals.

~~4. Auditing services.~~

4.~~5.~~ Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.

5.a.~~6.~~ Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration.

b. Beginning January 1, 2011, health services, including, but not limited to, substance abuse and mental health services, involving ex-

amination, diagnosis, treatment, prevention, or medical consultation, when such services are offered to eligible individuals participating in a specific program that qualifies multiple providers and uses a standard payment methodology. Reimbursement of administrative costs for providers of services purchased in this manner shall also be exempt. For purposes of this sub-subparagraph, "providers" means health professionals, health facilities, or organizations that deliver or arrange for the delivery of health services.

6.~~7.~~ Services provided to persons with mental or physical disabilities by not-for-profit corporations which have obtained exemptions under the provisions of s. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by the provisions of Office of Management and Budget Circular A-122. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

7.~~8.~~ Medicaid services delivered to an eligible Medicaid recipient *unless the agency is directed otherwise in law* ~~by a health care provider who has not previously applied for and received a Medicaid provider number from the Agency for Health Care Administration. However, this exception shall be valid for a period not to exceed 90 days after the date of delivery to the Medicaid recipient and shall not be renewed by the agency.~~

8.~~9.~~ Family placement services.

9.~~10.~~ Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

10.~~11.~~ Training and education services provided to injured employees pursuant to s. 440.491(6).

11.~~12.~~ Contracts entered into pursuant to s. 337.11.

12.~~13.~~ Services or commodities provided by governmental agencies.

(g) Continuing education events or programs that are offered to the general public and for which fees have been collected that pay all expenses associated with the event or program are exempt from requirements for competitive solicitation.

(4) An agency must document its compliance with s. 216.3475 if the purchase of contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO and such services are not competitively procured.

(5)~~(6)~~ If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the department or other agency may negotiate on the best terms and conditions. The department or other agency shall document the reasons that such action is in the best interest of the state in lieu of resoliciting competitive sealed bids, proposals, or replies. Each agency shall report all such actions to the department on a quarterly basis, in a manner and form prescribed by the department.

(6)~~(7)~~ Upon issuance of any solicitation, an agency shall, upon request by the department, forward to the department one copy of each solicitation for all commodity and contractual services purchases in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO. An agency shall also, upon request, furnish a copy of all competitive-solicitation tabulations. The Office of Supplier Diversity may also request from the agencies any information submitted to the department pursuant to this subsection.

(7)~~(8)~~(a) In order to strive to meet the minority business enterprise procurement goals set forth in s. 287.09451, an agency may reserve any contract for competitive solicitation only among certified minority business enterprises. Agencies shall review all their contracts each fiscal year and shall determine which contracts may be reserved for solicitation only among certified minority business enterprises. This reservation may only be used when it is determined, by reasonable and objective means, before the solicitation that there are capable, qualified certified minority business enterprises available to submit a bid, proposal, or reply on a contract to provide for effective competition. The Office of Supplier Diversity shall consult with any agency in reaching such determination when deemed appropriate.

(b) Before a contract may be reserved for solicitation only among certified minority business enterprises, the agency head must find that such a reservation is in the best interests of the state. All determinations shall be subject to s. 287.09451(5). Once a decision has been made to reserve a contract, but before sealed bids, proposals, or replies are requested, the agency shall estimate what it expects the amount of the contract to be, based on the nature of the services or commodities involved and their value under prevailing market conditions. If all the sealed bids, proposals, or replies received are over this estimate, the agency may reject the bids, proposals, or replies and request new ones from certified minority business enterprises, or the agency may reject the bids, proposals, or replies and reopen the bidding to all eligible vendors.

(c) All agencies shall consider the use of price preferences of up to 10 percent, weighted preference formulas, or other preferences for vendors as determined appropriate pursuant to guidelines established in accordance with s. 287.09451(4) to increase the participation of minority business enterprises.

(d) All agencies shall avoid any undue concentration of contracts or purchases in categories of commodities or contractual services in order to meet the minority business enterprise purchasing goals in s. 287.09451.

(8)~~(9)~~ An agency may reserve any contract for competitive solicitation only among vendors who agree to use certified minority business enterprises as subcontractors or subvendors. The percentage of funds, in terms of gross contract amount and revenues, which must be expended with the certified minority business enterprise subcontractors and subvendors shall be determined by the agency before such contracts may be reserved. In order to bid on a contract so reserved, the vendor shall identify those certified minority business enterprises which will be utilized as subcontractors or subvendors by sworn statement. At the time of performance or project completion, the contractor shall report by sworn statement the payments and completion of work for all certified minority business enterprises used in the contract.

(9)~~(10)~~ An agency shall not divide the *solicitation* ~~procurement~~ of commodities or contractual services so as to avoid the requirements of subsections *(1)-(3)* ~~(1) through (5)~~.

(10)~~(11)~~ A contract for commodities or contractual services may be awarded without competition if state or federal law prescribes with whom the agency must contract or if the rate of payment is established during the appropriations process.

(11)~~(12)~~ If two equal responses to a solicitation or a request for quote are received and one response is from a certified minority business enterprise, the agency shall enter into a contract with the certified minority business enterprise.

(12)~~(13)~~ Extension of a contract for contractual services shall be in writing for a period not to exceed 6 months and shall be subject to the same terms and conditions set forth in the initial contract. There shall be only one extension of a contract unless the failure to meet the criteria set forth in the contract for completion of the contract is due to events beyond the control of the contractor.

(13)~~(14)~~(a) Contracts for commodities or contractual services may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever period is longer. Renewal of a contract for commodities or contractual services shall be in writing and shall be subject to the same terms and conditions set forth in the initial contract. If the commodity or contractual service is purchased as a result of the solicitation of bids, proposals, or replies, the price of the commodity or contractual service to be renewed shall be specified in the bid, proposal, or reply. A renewal contract may not include any compensation for costs associated with the renewal. Renewals shall be contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to paragraphs *(3)*~~(5)~~(a) and (c) may not be renewed. With the exception of subsection *(12)* ~~(13)~~, if a contract amendment results in a longer contract term or increased payments, a state agency may not renew or amend a contract for the outsourcing of a service or activity that has an original term value exceeding the sum of $10 million before submitting a written

report concerning contract performance to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 90 days before execution of the renewal or amendment.

(b) The Department of Health shall enter into an agreement, not to exceed 20 years, with a private contractor to finance, design, and construct a hospital, of no more than 50 beds, for the treatment of patients with active tuberculosis and to operate all aspects of daily operations within the 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 facility. The department shall begin the implementation of this initiative by July 1, 2008. This paragraph expires July 1, 2009.

(14)~~(15)~~ For each contractual services contract, the agency shall designate an employee to function as contract manager who shall be responsible for enforcing performance of the contract terms and conditions and serve as a liaison with the contractor. *Each contract manager who is responsible for contracts in excess of the threshold amount for CATEGORY TWO must attend training conducted by the Chief Financial Officer for accountability in contracts and grant management.* The *Chief Financial Officer* ~~agency~~ shall establish *and disseminate uniform* procedures *pursuant to s. 17.03(3)* to ensure that contractual services have been rendered in accordance with the contract terms *before the agency processes* ~~prior to processing~~ the invoice for payment. *The procedures shall include, but need not be limited to, procedures for monitoring and documenting contractor performance, reviewing and documenting all deliverables for which payment is requested by vendors, and providing written certification by contract managers of the agency's receipt of goods and services.*

(15)~~(16)~~ Each agency shall designate at least one employee who shall serve as a contract administrator responsible for maintaining a contract file and financial information on all contractual services contracts and who shall serve as a liaison with the contract managers and the department.

(16)~~(17)~~ For a contract in excess of the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency head shall appoint:

(a) At least three persons to evaluate proposals and replies who collectively have experience and knowledge in the program areas and service requirements for which commodities or contractual services are sought.

(b) At least three persons to conduct negotiations during a competitive sealed reply procurement who collectively have experience and knowledge in negotiating contracts, contract procurement, and the program areas and service requirements for which commodities or contractual services are sought. When the value of a contract is in excess of $1 million in any fiscal year, at least one of the persons conducting negotiations must be certified as a contract negotiator based upon rules adopted by the Department of Management Services in order to ensure that certified contract negotiators are knowledgeable about effective negotiation strategies, capable of successfully implementing those strategies, and involved appropriately in the procurement process. At a minimum, the rules must address the qualifications required for certification, the method of certification, and the procedure for involving the certified negotiator. If the value of a contract is in excess of $10 million in any fiscal year, at least one of the persons conducting negotiations must be a Project Management Professional, as certified by the Project Management Institute.

(17)(a)1. Each agency must avoid, neutralize, or mitigate significant potential organizational conflicts of interest before a contract is awarded. If the agency elects to mitigate the significant potential organizational conflict or conflicts of interest, an adequate mitigation plan, including organizational, physical, and electronic barriers, shall be developed.

2. If a conflict cannot be avoided or mitigated, an agency may proceed with the contract award if the agency head certifies that the award is in the best interests of the state. The agency head must specify in writing the basis for the certification.

(b)1. An agency head may not proceed with a contract award under subparagraph (a)2. if a conflict of interest is based upon the vendor gaining an unfair competitive advantage.

2. An unfair competitive advantage exists when the vendor competing for the award of a contract obtained:

a. Access to information that is not available to the public and would assist the vendor in obtaining the contract; or

b. Source selection information that is relevant to the contract but is not available to all competitors and that would assist the vendor in obtaining the contract.

(c)~~(18)~~ A person who receives a contract that has not been procured pursuant to subsections *(1)-(3)* ~~(1) through (5)~~ to perform a feasibility study of the potential implementation of a subsequent contract, who participates in the drafting of a solicitation or who develops a program for future implementation, is not eligible to contract with the agency for any other contracts dealing with that specific subject matter, and any firm in which such person has any interest is not eligible to receive such contract. However, this prohibition does not prevent a vendor who responds to a request for information from being eligible to contract with an agency.

(18)~~(19)~~ Each agency shall establish a review and approval process for all contractual services contracts costing more than the threshold amount provided for in s. 287.017 for CATEGORY THREE which shall include, but not be limited to, program, financial, and legal review and approval. Such reviews and approvals shall be obtained before the contract is executed.

(19)~~(20)~~ In any procurement that costs more than the threshold amount provided for in s. 287.017 for CATEGORY TWO and is accomplished without competition, the individuals taking part in the development or selection of criteria for evaluation, the evaluation process, and the award process shall attest in writing that they are independent of, and have no conflict of interest in, the entities evaluated and selected.

(20)~~(21)~~ Nothing in this section shall affect the validity or effect of any contract in existence on October 1, 1990.

(21)~~(22)~~ An agency may contract for services with any independent, nonprofit college or university which is located within the state and is accredited by the Southern Association of Colleges and Schools, on the same basis as it may contract with any state university and college.

(22)~~(23)~~ The department, in consultation with the Agency for Enterprise Information Technology and the Comptroller, shall develop a program for online procurement of commodities and contractual services. To enable the state to promote open competition and to leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria may participate in online procurement.

(a) The department, in consultation with the agency, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department, in consultation with the agency, shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to administer the program for online procurement. The rules shall include, but not be limited to:

1. Determining the requirements and qualification criteria for prequalifying vendors.

2. Establishing the procedures for conducting online procurement.

3. Establishing the criteria for eligible commodities and contractual services.

4. Establishing the procedures for providing access to online procurement.

5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c) The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees

must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department.

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

(23)~~(24)~~ Each solicitation for the procurement of commodities or contractual services shall include the following provision: "Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response."

Section 20. Section 287.0571, Florida Statutes, is amended to read:

287.0571 *Business case to outsource;* applicability ~~of ss. 287.0571-287.0574~~.—

~~(1) Sections 287.0571-287.0574 may be cited as the "Florida Efficient Government Act."~~

(1)~~(2)~~ It is the intent of the Legislature that each state agency focus on its core mission and deliver services effectively and efficiently by leveraging resources and contracting with private sector vendors whenever vendors can more effectively and efficiently provide services and reduce the cost of government.

(2)~~(3)~~ It is further the intent of the Legislature that business cases to outsource be evaluated for feasibility, cost-effectiveness, and efficiency before a state agency proceeds with any outsourcing of services.

(3)~~(4)~~ *This section does* ~~Sections 287.0571-287.0574 do~~ not apply to:

(a) A procurement of commodities and contractual services listed in s. 287.057*(3)*~~(5)~~(e), (f), and (g) and *(21)*~~(22)~~.

(b) A procurement of contractual services subject to s. 287.055.

(c) A contract in support of the planning, development, implementation, operation, or maintenance of the road, bridge, and public transportation construction program of the Department of Transportation.

(d) A procurement of commodities or contractual services which does not constitute an outsourcing of services or activities.

(4) An agency shall complete a business case for any outsourcing project that has an expected cost in excess of $10 million within a single fiscal year. The business case shall be submitted pursuant to s. 216.023. The business case shall be available as part of the solicitation but is not subject to challenge and shall include the following:

(a) A detailed description of the service or activity for which the outsourcing is proposed.

(b) A description and analysis of the state agency's current performance, based on existing performance metrics if the state agency is currently performing the service or activity.

(c) The goals desired to be achieved through the proposed outsourcing and the rationale for such goals.

(d) A citation to the existing or proposed legal authority for outsourcing the service or activity.

(e) A description of available options for achieving the goals. If state employees are currently performing the service or activity, at least one option involving maintaining state provision of the service or activity shall be included.

(f) An analysis of the advantages and disadvantages of each option, including, at a minimum, potential performance improvements and risks.

(g) A description of the current market for the contractual services that are under consideration for outsourcing.

(h) A cost-benefit analysis documenting the direct and indirect specific baseline costs, savings, and qualitative and quantitative benefits involved in or resulting from the implementation of the recommended option or options. Such analysis must specify the schedule that, at a minimum, must be adhered to in order to achieve the estimated savings. All elements of cost must be clearly identified in the cost-benefit analysis, described in the business case, and supported by applicable records and reports. The state agency head shall attest that, based on the data and information underlying the business case, to the best of his or her knowledge, all projected costs, savings, and benefits are valid and achievable. As used in this section, the term "cost" means the reasonable, relevant, and verifiable cost, which may include, but is not limited to, elements such as personnel, materials and supplies, services, equipment, capital depreciation, rent, maintenance and repairs, utilities, insurance, personnel travel, overhead, and interim and final payments. The appropriate elements shall depend on the nature of the specific initiative. As used in this paragraph, the term "savings" means the difference between the direct and indirect actual annual baseline costs compared to the projected annual cost for the contracted functions or responsibilities in any succeeding state fiscal year during the term of the contract.

(i) A description of differences among current state agency policies and processes and, as appropriate, a discussion of options for or a plan to standardize, consolidate, or revise current policies and processes, if any, to reduce the customization of any proposed solution that would otherwise be required.

(j) A description of the specific performance standards that must, at a minimum, be met to ensure adequate performance.

(k) The projected timeframe for key events from the beginning of the procurement process through the expiration of a contract.

(l) A plan to ensure compliance with the public-records law.

(m) A specific and feasible contingency plan addressing contractor nonperformance and a description of the tasks involved in and costs required for its implementation.

(n) A state agency's transition plan for addressing changes in the number of agency personnel, affected business processes, employee transition issues, and communication with affected stakeholders, such as agency clients and the public. The transition plan must contain a reemployment and retraining assistance plan for employees who are not retained by the state agency or employed by the contractor.

(o) A plan for ensuring access by persons with disabilities in compliance with applicable state and federal law.

(5) In addition to the contract requirements provided in s. 287.058, each contract for a proposed outsourcing, pursuant to this section, must include, but need not be limited to, the following contractual provisions:

(a) A scope-of-work provision that clearly specifies each service or deliverable to be provided, including a description of each deliverable or activity that is quantifiable, measurable, and verifiable. This provision must include a clause that states if a particular service or deliverable is inadvertently omitted or not clearly specified but determined to be operationally necessary and verified to have been performed by the agency within the 12 months before the execution of the contract, such service or deliverable will be provided by the contractor through the identified contract-amendment process.

(b) A service-level-agreement provision describing all services to be provided under the terms of the agreement, the state agency's service requirements and performance objectives, specific responsibilities of the state agency and the contractor, and the process for amending any portion of the service-level agreement. Each service-level agreement must contain an exclusivity clause that allows the state agency to retain the right to perform the service or activity, directly or with another contractor, if service levels are not being achieved.

(c) A provision that identifies all associated costs, specific payment terms, and payment schedules, including provisions governing incentives and financial disincentives and criteria governing payment.

(d) A provision that identifies a clear and specific transition plan that will be implemented in order to complete all required activities needed to transfer the service or activity from the state agency to the contractor and operate the service or activity successfully.

(e) A performance-standards provision that identifies all required performance standards, which must include, at a minimum:

1. Detailed and measurable acceptance criteria for each deliverable and service to be provided to the state agency under the terms of the contract which document the required performance level.

2. A method for monitoring and reporting progress in achieving specified performance standards and levels.

3. The sanctions or disincentives that shall be imposed for nonperformance by the contractor or state agency.

(f) A provision that requires the contractor and its subcontractors to maintain adequate accounting records that comply with all applicable federal and state laws and generally accepted accounting principles.

(g) A provision that authorizes the state agency to have access to and to audit all records related to the contract and subcontracts, or any responsibilities or functions under the contract and subcontracts, for purposes of legislative oversight, and a requirement for audits by a service organization in accordance with professional auditing standards, if appropriate.

(h) A provision that requires the contractor to interview and consider for employment with the contractor each displaced state employee who is interested in such employment.

(i) A contingency-plan provision that describes the mechanism for continuing the operation of the service or activity, including transferring the service or activity back to the state agency or successor contractor if the contractor fails to perform and comply with the performance standards and levels of the contract and the contract is terminated.

(j) A provision that requires the contractor and its subcontractors to comply with public-records laws, specifically to:

1. Keep and maintain the public records that ordinarily and necessarily would be required by the state agency in order to perform the service or activity.

2. Provide the public with access to such public records on the same terms and conditions that the state agency would provide the records and at a cost that does not exceed that provided in chapter 119 or as otherwise provided by law.

3. Ensure that records that are exempt or records that are confidential and exempt are not disclosed except as authorized by law.

4. Meet all requirements for retaining records and transfer to the state agency, at no cost, all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt. All records stored electronically must be provided to the state agency in a format that is compatible with the information technology systems of the state agency.

(k)1. A provision that provides that any copyrightable or patentable intellectual property produced as a result of work or services performed under the contract, or in any way connected with the contract, shall be the property of the state, with only such exceptions as are clearly expressed and reasonably valued in the contract.

2. A provision that provides that, if the primary purpose of the contract is the creation of intellectual property, the state shall retain an unencumbered right to use such property.

(l) If applicable, a provision that allows the agency to purchase from the contractor, at its depreciated value, assets used by the contractor in the performance of the contract. If assets have not depreciated, the agency shall retain the right to negotiate to purchase at an agreed-upon cost.

Section 21. *Section 287.05721, Florida Statutes, is repealed.*

Section 22. *Section 287.0573, Florida Statutes, is repealed.*

Section 23. *Section 287.0574, Florida Statutes, is repealed.*

Section 24. Section 287.0575, Florida Statutes, is created to read:

287.0575 Coordination of contracted services.—The following duties and responsibilities of the Department of Children and Family Services, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, and the Department of Veterans' Affairs, and service providers under contract to those agencies, are established:

(1) No later than August 1, 2010, or upon entering into any new contract for health and human services, state agencies contracting for health and human services must notify their contract service providers of the requirements of this section.

(2) No later than October 1, 2010, contract service providers that have more than one contract with one or more state agencies to provide health and human services must provide to each of their contract managers a comprehensive list of their health and human services contracts. The list must include the following information:

(a) The name of each contracting state agency and the applicable office or program issuing the contract.

(b) The identifying name and number of each contract.

(c) The starting and ending date of each contract.

(d) The amount of each contract.

(e) A brief description of the purpose of the contract and the types of services provided under each contract.

(f) The name and contact information of the contract manager.

(3) With respect to contracts entered into on or after August 1, 2010, effective November 1, 2010, or 30 days after receiving the list provided under subsection (2), a single lead administrative coordinator for each contract service provider shall be designated as provided in this subsection from among the agencies having multiple contracts as provided in subsection (2). On or before the date such responsibilities are assumed, the designated lead administrative coordinator shall provide notice of his or her designation to the contract service provider and to the agency contract managers for each affected contract. Unless another lead administrative coordinator is selected by agreement of all affected contract managers, the designated lead administrative coordinator shall be the agency contract manager of the contract with the highest dollar value over the term of the contract, provided the term of the contract remaining at the time of designation exceeds 24 months. If the remaining terms of all contracts are 24 months or less, the designated lead administrative coordinator shall be the contract manager of the contract with the latest end date. A designated lead administrative coordinator, or his or her successor as contract manager, shall continue as lead administrative coordinator until another lead administrative coordinator is selected by agreement of all affected contract managers or until the end date of the contract for which the designated lead administrative coordinator serves as contract manager, at which time a new lead administrative coordinator shall be designated pursuant to this subsection, if applicable.

(4) The designated lead administrative coordinator shall be responsible for:

(a) Establishing a coordinated schedule for administrative and fiscal monitoring;

(b) Consulting with other case managers to establish a single unified set of required administrative and fiscal documentation;

(c) Consulting with other case managers to establish a single unified schedule for periodic updates of administrative and fiscal information; and

(d) Maintaining an accessible electronic file of up-to-date administrative and fiscal documents, including, but not limited to, corporate documents, membership records, audits, and monitoring reports.

(5) Contract managers for agency contracts other than the designated lead administrative coordinator must conduct administrative and fiscal monitoring activities in accordance with the coordinated schedule and must obtain any necessary administrative and fiscal documents from the designated lead administrative coordinator's electronic file.

(6) This section does not apply to routine program performance monitoring or prohibit a contracting agency from directly and immediately contacting the service provider when the health or safety of clients is at risk.

(7) Each agency contracting for health and human services shall annually evaluate the performance of its designated lead administrative coordinator in establishing coordinated systems, improving efficiency, and reducing redundant monitoring activities for state agencies and their service providers. The annual report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 25. Subsections (1) and (5) of section 287.058, Florida Statutes, are amended to read:

287.058 Contract document.—

(1) Every procurement of contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except for the providing of health and mental health services or drugs in the examination, diagnosis, or treatment of sick or injured state employees or the providing of other benefits as required by the provisions of chapter 440, shall be evidenced by a written agreement embodying all provisions and conditions of the procurement of such services, which ~~provisions and conditions~~ shall, where applicable, include, but ~~shall~~ not be limited to*, a provision*:

(a) ~~A provision~~ That bills for fees or other compensation for services or expenses be submitted in detail sufficient for a proper preaudit and postaudit thereof.

(b) ~~A provision~~ That bills for any travel expenses be submitted in accordance with s. 112.061. A state agency may establish rates lower than the maximum provided in s. 112.061.

(c) ~~A provision~~ Allowing unilateral cancellation by the agency for refusal by the contractor to allow public access to all documents, papers, letters, or other material made or received by the contractor in conjunction with the contract, unless the records are exempt from s. 24(a) of Art. I of the State Constitution and s. 119.07(1).

(d) Specifying a scope of work that clearly establishes all tasks the contractor is required to perform.

(e)~~(d)~~ ~~A provision~~ Dividing the contract into *quantifiable, measurable, and verifiable* units of deliverables~~, which shall include, but not be limited to, reports, findings, and drafts,~~ that must be received and accepted in writing by the contract manager *before* ~~prior to~~ payment. *Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and criteria for evaluating the successful completion of each deliverable.*

(f)~~(e)~~ ~~A provision~~ Specifying the criteria and the final date by which such criteria must be met for completion of the contract.

(g)~~(f)~~ ~~A provision~~ Specifying that the contract may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever period is longer, specifying the renewal price for the contractual service as set forth in the bid, proposal, or reply, specifying that costs for the renewal may not be charged, and specifying that renewals shall be contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to s. 287.057*(3)*~~(5)~~(a) and (c) may not be renewed.

(h) Specifying the financial consequences that the agency must apply if the contractor fails to perform in accordance with the contract.

(i) Addressing the property rights of any intellectual property related to the contract and the specific rights of the state regarding the intellectual property if the contractor fails to provide the services or is no longer providing services.

In lieu of a written agreement, the department may authorize the use of a purchase order for classes of contractual services, if the provisions of paragraphs *(a)-(i)* ~~(a)-(f)~~ are included in the purchase order or solicitation. The purchase order must include, but need not be limited to, an adequate description of the services, the contract period, and the method of payment. In lieu of printing the provisions of paragraphs *(a)-(i)* ~~(a)-(f)~~ in the contract document or purchase order, agencies may incorporate the requirements of paragraphs *(a)-(i)* ~~(a)-(f)~~ by reference.

(5) Unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the Chief Financial Officer may waive the requirements of this section for services which are included in s. 287.057*(3)*~~(5)~~(f).

Section 26. Subsection (14) of section 287.059, Florida Statutes, is amended to read:

287.059 Private attorney services.—

(14) The office of the Attorney General is authorized to competitively bid and contract with one or more court reporting services, on a circuitwide basis, on behalf of all state agencies in accordance with s. 287.057~~(2)~~. The office of the Attorney General shall develop requests for proposal for court reporter services in consultation with the Florida Court Reporters Association. All agencies shall utilize the contracts for court reporting services entered into by the office of the Attorney General where in force, unless otherwise ordered by a court or unless an agency has a contract for court reporting services executed prior to May 5, 1993.

Section 27. *Section 287.1345, Florida Statutes, is repealed.*

Section 28. Paragraph (b) of subsection (4) of section 295.187, Florida Statutes, is amended to read:

295.187 Florida Service-Disabled Veteran Business Enterprise Opportunity Act.—

(4) VENDOR PREFERENCE.—

(b) Notwithstanding s. 287.057*(11)*~~(12)~~, if a service-disabled veteran business enterprise entitled to the vendor preference under this section and one or more businesses entitled to this preference or another vendor preference provided by law submit bids, proposals, or replies for procurement of commodities or contractual services that are equal with respect to all relevant considerations, including price, quality, and service, then the state agency shall award the procurement or contract to the business having the smallest net worth.

Section 29. 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*(3)*~~(5)~~(f), contracts for community-based Baker Act services for inpatient, crisis sta-

bilization, 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. 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 30. Paragraph (a) of subsection (1) of section 394.47865, Florida Statutes, is amended to read:

394.47865 South Florida State Hospital; privatization.—

(1) The Department of Children and Family Services shall, through a request for proposals, privatize South Florida State Hospital. The department shall plan to begin implementation of this privatization initiative by July 1, 1998.

(a) Notwithstanding s. 287.057*(13)*~~(14)~~, the department may enter into agreements, not to exceed 20 years, with a private provider, a coalition of providers, or another agency to finance, design, and construct a treatment facility having up to 350 beds and to operate all aspects of daily operations within the facility. The department may subcontract any or all components of this procurement to a statutorily established state governmental entity that has successfully contracted with private companies for designing, financing, acquiring, leasing, constructing, and operating major privatized state facilities.

Section 31. Paragraph (c) of subsection (5) and subsection (8) of section 402.40, Florida Statutes, are amended to read:

402.40 Child welfare training.—

(5) CORE COMPETENCIES.—

(c) Notwithstanding s. 287.057*(3)*~~(5)~~ and *(21)*~~(22)~~, the department shall competitively solicit and contract for the development, validation, and periodic evaluation of the training curricula for the established single integrated curriculum. No more than one training curriculum may be developed for each specific subset of the core competencies.

(8) ESTABLISHMENT OF TRAINING ACADEMIES.—The department shall establish child welfare training academies as part of a comprehensive system of child welfare training. In establishing a program of training, the department may contract for the operation of one or more training academies to perform one or more of the following: to offer one or more of the training curricula developed under subsection (5); to administer the certification process; to develop, validate, and periodically evaluate additional training curricula determined to be necessary, including advanced training that is specific to a region or contractor, or that meets a particular training need; or to offer the additional training curricula. The number, location, and timeframe for establishment of training academies shall be approved by the Secretary of Children and Family Services who shall ensure that the goals for the core competencies and the single integrated curriculum, the certification process, the trainer qualifications, and the additional training needs are addressed. Notwithstanding s. 287.057*(3)*~~(5)~~ and *(21)*~~(22)~~, the department shall competitively solicit all training academy contracts.

Section 32. Paragraphs (a) and (b) of subsection (2) and subsection (3) of section 402.7305, Florida Statutes, are amended to read:

402.7305 Department of Children and Family Services; procurement of contractual services; contract management.—

(2) PROCUREMENT OF COMMODITIES AND CONTRACTUAL SERVICES.—

(a) Notwithstanding *s. 287.057(3)(f)12.* ~~s. 287.057(5)(f)13.~~, whenever the department intends to contract with a public postsecondary institution to provide a service, the department must allow all public postsecondary institutions in this state that are accredited by the Southern Association of Colleges and Schools to bid on the contract. Thereafter, notwithstanding any other provision to the contrary, if a public postsecondary institution intends to subcontract for any service awarded in the contract, the subcontracted service must be procured by competitive procedures.

(b) When it is in the best interest of a defined segment of its consumer population, the department may competitively procure and contract for systems of treatment or service that involve multiple providers, rather than procuring and contracting for treatment or services separately from each participating provider. The department must ensure that all providers that participate in the treatment or service system meet all applicable statutory, regulatory, service quality, and cost control requirements. If other governmental entities or units of special purpose government contribute matching funds to the support of a given system of treatment or service, the department shall formally request information from those funding entities in the procurement process and may take the information received into account in the selection process. If a local government contributes matching funds to support the system of treatment or contracted service and if the match constitutes at least 25 percent of the value of the contract, the department shall afford the governmental match contributor an opportunity to name an employee as one of the persons required by s. 287.057*(16)*~~(17)~~ to evaluate or negotiate certain contracts, unless the department sets forth in writing the reason why the inclusion would be contrary to the best interest of the state. Any employee so named by the governmental match contributor shall qualify as one of the persons required by s. 287.057*(16)*~~(17)~~. A governmental entity or unit of special purpose government may not name an employee as one of the persons required by s. 287.057*(16)*~~(17)~~ if it, or any of its political subdivisions, executive agencies, or special districts, intends to compete for the contract to be awarded. The governmental funding entity or contributor of matching funds must comply with all procurement procedures set forth in s. 287.057 when appropriate and required.

(3) CONTRACT MANAGEMENT REQUIREMENTS AND PROCESS.—The Department of Children and Family Services shall review the time period for which the department executes contracts and shall execute multiyear contracts to make the most efficient use of the resources devoted to contract processing and execution. Whenever the department chooses not to use a multiyear contract, a justification for that decision must be contained in the contract. Notwithstanding s. 287.057*(14)*~~(15)~~, the department is responsible for establishing a contract management process that requires a member of the department's Senior Management or Selected Exempt Service to assign in writing the responsibility of a contract to a contract manager. The department shall maintain a set of procedures describing its contract management process which must minimally include the following requirements:

(a) The contract manager shall maintain the official contract file throughout the duration of the contract and for a period not less than 6 years after the termination of the contract.

(b) The contract manager shall review all invoices for compliance with the criteria and payment schedule provided for in the contract and shall approve payment of all invoices before their transmission to the Department of Financial Services for payment.

(c) The contract manager shall maintain a schedule of payments and total amounts disbursed and shall periodically reconcile the records with the state's official accounting records.

(d) For contracts involving the provision of direct client services, the contract manager shall periodically visit the physical location where the services are delivered and speak directly to clients receiving the services and the staff responsible for delivering the services.

(e) The contract manager shall meet at least once a month directly with the contractor's representative and maintain records of such meetings.

(f) The contract manager shall periodically document any differences between the required performance measures and the actual performance measures. If a contractor fails to meet and comply with the performance measures established in the contract, the department may allow a reasonable period for the contractor to correct performance deficiencies. If performance deficiencies are not resolved to the satisfaction of the department within the prescribed time, and if no extenuating circumstances can be documented by the contractor to the department's satisfaction, the department must terminate the contract. The department

may not enter into a new contract with that same contractor for the services for which the contract was previously terminated for a period of at least 24 months after the date of termination. The contract manager shall obtain and enforce corrective action plans, if appropriate, and maintain records regarding the completion or failure to complete corrective action items.

(g) The contract manager shall document any contract modifications, which shall include recording any contract amendments as provided for in this section.

(h) The contract manager shall be properly trained before being assigned responsibility for any contract.

Section 33. Subsection (2) of section 408.045, Florida Statutes, is amended to read:

408.045 Certificate of need; competitive sealed proposals.—

(2) The agency shall make a decision regarding the issuance of the certificate of need in accordance with the provisions of s. 287.057*(16)*~~(17)~~, rules adopted by the agency relating to intermediate care facilities for the developmentally disabled, and the criteria in s. 408.035, as further defined by rule.

Section 34. Subsection (3) of section 427.0135, Florida Statutes, is amended to read:

427.0135 Purchasing agencies; duties and responsibilities.—Each purchasing agency, in carrying out the policies and procedures of the commission, shall:

(3) Not procure transportation disadvantaged services without initially negotiating with the commission, as provided in *s. 287.057(3)(f)12.* ~~s. 287.057(5)(f)13.~~, or unless otherwise authorized by statute. If the purchasing agency, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission, the purchasing agency may contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards. The Medicaid agency shall implement this subsection in a manner consistent with s. 409.908(18) and as otherwise limited or directed by the General Appropriations Act.

Section 35. Paragraph (c) of subsection (5) of section 445.024, Florida Statutes, is amended to read:

445.024 Work requirements.—

(5) USE OF CONTRACTS.—Regional workforce boards shall provide work activities, training, and other services, as appropriate, through contracts. In contracting for work activities, training, or services, the following applies:

(c) Notwithstanding the exemption from the competitive sealed bid requirements provided in s. 287.057*(3)*~~(5)~~(f) for certain contractual services, each contract awarded under this chapter must be awarded on the basis of a competitive sealed bid, except for a contract with a governmental entity as determined by the regional workforce board.

Section 36. Paragraph (b) of subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.—

(3)

(b) The board shall contract with a corporation or other business entity pursuant to s. 287.057~~(3)~~ to provide investigative, legal, prosecutorial, and other services necessary to perform its duties.

Section 37. Subsection (41) of section 570.07, Florida Statutes, is amended to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(41) Notwithstanding the provisions of s. 287.057*(22)*~~(23)~~ that require all agencies to use the online procurement system developed by the Department of Management Services, the department may continue to use its own online system. However, vendors utilizing such system shall be prequalified as meeting mandatory requirements and qualifications and shall remit fees pursuant to s. 287.057*(22)*~~(23)~~, and any rules implementing s. 287.057.

Section 38. Paragraph (c) of subsection (5) of section 627.311, Florida Statutes, is amended to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(5)

(c) The operation of the 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. The plan of operation shall:

1. Authorize the board to engage in the activities necessary to implement this subsection, including, but not limited to, borrowing money.

2. Develop criteria for eligibility for coverage by the plan, including, but not limited to, documented rejection by at least two insurers which reasonably assures that insureds covered under the plan are unable to acquire coverage in the voluntary market.

3. Require notice from the agent to the insured at the time of the application for coverage that the application is for coverage with the plan and that coverage may be available through an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer through another agent at a lower cost.

4. Establish programs to encourage insurers to provide coverage to applicants of the plan in the voluntary market and to insureds of the plan, including, but not limited to:

a. Establishing procedures for an insurer to use in notifying the plan of the insurer's desire to provide coverage to applicants to the plan or existing insureds of the plan and in describing the types of risks in which the insurer is interested. The description of the desired risks must be on a form developed by the plan.

b. Developing forms and procedures that provide an insurer with the information necessary to determine whether the insurer wants to write particular applicants to the plan or insureds of the plan.

c. Developing procedures for notice to the plan and the applicant to the plan or insured of the plan that an insurer will insure the applicant or the insured of the plan, and notice of the cost of the coverage offered; and developing procedures for the selection of an insuring entity by the applicant or insured of the plan.

d. Provide for a market-assistance plan to assist in the placement of employers. All applications for coverage in the plan received 45 days before the effective date for coverage shall be processed through the market-assistance plan. A market-assistance plan specifically designed to serve the needs of small, good policyholders as defined by the board must be reviewed and updated periodically.

5. Provide for policy and claims services to the insureds of the plan of the nature and quality provided for insureds in the voluntary market.

6. Provide for the review of applications for coverage with the plan for reasonableness and accuracy, using any available historic information regarding the insured.

7. Provide for procedures for auditing insureds of the plan which are based on reasonable business judgment and are designed to maximize the likelihood that the plan will collect the appropriate premiums.

8. Authorize the plan to terminate the coverage of and refuse future coverage for any insured that submits a fraudulent application to the plan or provides fraudulent or grossly erroneous records to the plan or to any service provider of the plan in conjunction with the activities of the plan.

9. Establish service standards for agents who submit business to the plan.

10. Establish criteria and procedures to prohibit any agent who does not adhere to the established service standards from placing business with the plan or receiving, directly or indirectly, any commissions for business placed with the plan.

11. Provide for the establishment of reasonable safety programs for all insureds in the plan. All insureds of the plan must participate in the safety program.

12. Authorize the plan to terminate the coverage of and refuse future coverage to any insured who fails to pay premiums or surcharges when due; who, at the time of application, is delinquent in payments of workers' compensation or employer's liability insurance premiums or surcharges owed to an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer licensed to write such coverage in this state; or who refuses to substantially comply with any safety programs recommended by the plan.

13. Authorize the board of governors to provide the goods and services required by the plan through staff employed by the plan, through reasonably compensated service providers who contract with the plan to provide services as specified by the board of governors, or through a combination of employees and service providers.

a. Purchases that equal or exceed $2,500 but are less than or equal to $25,000, shall be made by receipt of written quotes, telephone quotes, or informal bids, whenever practical. The procurement of goods or services valued over $25,000 is subject to competitive solicitation, except in situations in which the goods or services are provided by a sole source or are deemed an emergency purchase, or the services are exempted from competitive-solicitation requirements under s. 287.057*(3)*~~(5)~~(f). 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 board approval.

b. The board shall determine whether it is more cost-effective and in the best interests of the plan to use legal services provided by in-house attorneys employed by the plan 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.

14. Provide for service standards for service providers, methods of determining adherence to those service standards, incentives and disincentives for service, and procedures for terminating contracts for service providers that fail to adhere to service standards.

15. Provide procedures for selecting service providers and standards for qualification as a service provider that reasonably assure that any service provider selected will continue to operate as an ongoing concern and is capable of providing the specified services in the manner required.

16. Provide for reasonable accounting and data-reporting practices.

17. Provide for annual review of costs associated with the administration and servicing of the policies issued by the plan to determine alternatives by which costs can be reduced.

18. Authorize the acquisition of such excess insurance or reinsurance as is consistent with the purposes of the plan.

19. Provide for an annual report to the office on a date specified by the office and containing such information as the office reasonably requires.

20. Establish multiple rating plans for various classifications of risk which reflect risk of loss, hazard grade, actual losses, size of premium, and compliance with loss control. At least one of such plans must be a preferred-rating plan to accommodate small-premium policyholders with good experience as defined in sub-subparagraph 22.a.

21. Establish agent commission schedules.

22. For employers otherwise eligible for coverage under the plan, establish three tiers of employers meeting the criteria and subject to the rate limitations specified in this subparagraph.

a. Tier One.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The experience modification is below 1.00.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer has secured workers' compensation coverage for the entire 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(D) The employer is able to provide the plan with a loss history generated by the employer's prior workers' compensation insurer, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(E) The employer is not a new business.

(III) Premiums.—The premiums for Tier One insureds shall be set at a premium level 25 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier One, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

b. Tier Two.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier Two if the employer meets all of the following:

(A) The experience modification is equal to or greater than 1.00 but not greater than 1.10.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have any experience modification rating shall be included in Tier Two if the employer is a new business. An employer shall be included in Tier Two if the employer has less than 3 years of loss experience in the 3-year period immediately preceding the inception date or renewal date of the em-

ployer's coverage under the plan and the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer is able to provide the plan with a loss history generated by the workers' compensation insurer that provided coverage for the portion or portions of such period during which the employer had secured workers' compensation coverage, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(III) Premiums.—The premiums for Tier Two insureds shall be set at a rate level 50 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier Two, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

c. Tier Three.—

(I) Eligibility.—An employer shall be included in Tier Three if the employer does not meet the criteria for Tier One or Tier Two.

(II) Rates.—The board shall establish, subject to paragraph (e), and the plan shall charge, actuarially sound rates for Tier Three insureds.

23. For Tier One or Tier Two employers which employ no nonexempt employees or which report payroll which is less than the minimum wage hourly rate for one full-time employee for 1 year at 40 hours per week, the plan shall establish actuarially sound premiums, provided, however, that the premiums may not exceed $2,500. These premiums shall be in addition to the fee specified in subparagraph 26. When the plan establishes actuarially sound rates for all employers in Tier One and Tier Two, the premiums for employers referred to in this paragraph are no longer subject to the $2,500 cap.

24. Provide for a depopulation program to reduce the number of insureds in the plan. If an employer insured through the plan is offered coverage from a voluntary market carrier:

a. During the first 30 days of coverage under the plan;

b. Before a policy is issued under the plan;

c. By issuance of a policy upon expiration or cancellation of the policy under the plan; or

d. By assumption of the plan's obligation with respect to an in-force policy,

that employer is no longer eligible for coverage through the plan. The premium for risks assumed by the voluntary market carrier must be no greater than the premium the insured would have paid under the plan, and shall be adjusted upon renewal to reflect changes in the plan rates and the tier for which the insured would qualify as of the time of renewal. The insured may be charged such premiums only for the first 3 years of coverage in the voluntary market. A premium under this subparagraph is deemed approved and is not an excess premium for purposes of s. 627.171.

25. Require that policies issued and applications must include a notice that the policy could be replaced by a policy issued from a voluntary market carrier and that, if an offer of coverage is obtained from a voluntary market carrier, the policyholder is no longer eligible for coverage through the plan. The notice must also specify that acceptance of coverage under the plan creates a conclusive presumption that the applicant or policyholder is aware of this potential.

26. Require that each application for coverage and each renewal premium be accompanied by a nonrefundable fee of $475 to cover costs of administration and fraud prevention. The board may, with the prior approval of the office, increase the amount of the fee pursuant to a rate filing to reflect increased costs of administration and fraud prevention. The fee is not subject to commission and is fully earned upon commencement of coverage.

Section 39. Paragraph (e) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE 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*(3)*~~(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.

Section 40. Subsection (2) of section 765.5155, Florida Statutes, is amended to read:

765.5155 Donor registry; education program.—

(2) The agency and the department shall jointly contract for the operation of a donor registry and education program. The contractor shall be procured by competitive solicitation pursuant to chapter 287, notwithstanding any exemption in s. 287.057*(3)*~~(5)~~(f). When awarding the contract, priority shall be given to existing nonprofit groups that are based within the state, have expertise working with procurement organizations, have expertise in conducting statewide organ and tissue donor public education campaigns, and represent the needs of the organ and tissue donation community in the state.

Section 41. Subsection (10) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(10) All costs incurred by the department in administering the prescription drug monitoring program shall be funded through federal grants or private funding applied for or received by the state. The department may not commit funds for the monitoring program without ensuring funding is available. The prescription drug monitoring program and the implementation thereof are contingent upon receipt of the nonstate funding. The department and state government shall cooperate with the direct-support organization established pursuant to subsection (11) in seeking federal grant funds, other nonstate grant funds, gifts, donations, or other private moneys for the department so long as the costs of doing so are not considered material. Nonmaterial costs for this purpose include, but are not limited to, the costs of mailing and personnel assigned to research or apply for a grant. Notwithstanding the exemptions to competitive-solicitation requirements under s. 287.057*(3)*~~(5)~~(f), the department shall comply with the competitive-solicitation requirements under s. 287.057 for the procurement of any goods or services required by this section.

Section 42. Subsection (3) of section 1013.38, Florida Statutes, is amended to read:

1013.38 Boards to ensure that facilities comply with building codes and life safety codes.—

(3) The Department of Management Services may, upon request, provide facilities services for the Florida School for the Deaf and the Blind, the Division of Blind Services, and public broadcasting. As used in this section, the term "facilities services" means project management,

code and design plan review, and code compliance inspection for projects as defined in s. 287.017*(5)*~~(1)(c)~~.

Section 43. Section 21 of chapter 2009-55, Laws of Florida, is amended to read:

Section 21. The Agency for Health Care Administration shall develop and implement a home health agency monitoring pilot project in Miami-Dade County by January 1, 2010. The agency shall contract with a vendor to verify the utilization and the delivery of home health services and provide an electronic billing interface for such services. The contract must require the creation of a program to submit claims for the home health services electronically. The program must verify visits for the delivery of home health services telephonically using voice biometrics. The agency may seek amendments to the Medicaid state plan and waivers of federal law, as necessary, to implement the pilot project. Notwithstanding s. 287.057*(3)*~~(5)~~(f), Florida Statutes, the agency must award the contract through the competitive solicitation process. The agency shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the pilot project by February 1, 2011.

Section 44. Section 31 of chapter 2009-223, Laws of Florida, is amended to read:

Section 31. Pilot project to monitor home health services.—The Agency for Health Care Administration shall develop and implement a home health agency monitoring pilot project in Miami-Dade County by January 1, 2010. The agency shall contract with a vendor to verify the utilization and delivery of home health services and provide an electronic billing interface for home health services. The contract must require the creation of a program to submit claims electronically for the delivery of home health services. The program must verify telephonically visits for the delivery of home health services using voice biometrics. The agency may seek amendments to the Medicaid state plan and waivers of federal laws, as necessary, to implement the pilot project. Notwithstanding s. 287.057*(3)*~~(5)~~(f), Florida Statutes, the agency must award the contract through the competitive solicitation process. The agency shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the pilot project by February 1, 2011.

Section 45. *Contracts for academic program reviews, auditing services, health services, or Medicaid services are subject to the transaction or user fees imposed under ss. 287.042(1)(h) and 287.057(22), Florida Statutes, only to the extent that such contracts were not subject to such transaction or user fees before July 1, 2010.*

Section 46. *(1) Each state agency, as defined in s. 216.011, Florida Statutes, shall provide the following information to the Department of Financial Services regarding the agency's contracted activities:*

(a) The nature of the commodities or services purchased.

(b) The term of the contract.

(c) The final obligation made by the agency.

(d) A summary of any time constraints that apply to the procurement.

(e) The justification for not using the competitive solicitation, including any statutory exemption or exception.

(f) Other information regarding the contract or the procurement which may be required by the Department of Financial Services.

(2) This section applies to any contract executed on or after July 1, 2010, for the purchase of commodities or contractual services in excess of the CATEGORY TWO threshold amount provided in s. 287.017, Florida Statutes, which is not:

(a) Awarded by competitive solicitation pursuant to s. 287.057(1), Florida Statutes; or

(b) Purchased from a purchasing agreement or state term contract pursuant to s. 287.056, Florida Statutes.

(3) An agency must submit the required information to the Department of Financial Services within 3 working days after executing the contract.

Section 47. *Each state agency, as defined in s. 216.011, Florida Statutes, shall review existing contract renewals and reprocurements with private providers and public-private providers in an effort to reduce contract payments by at least 3 percent. It is the statewide goal to achieve substantial savings; however, it is the intent of the Legislature that the level and quality of services not be affected. Each agency shall renegotiate and reprocure contracts consistent with this section. Any savings that accrue through renegotiating the renewal or reprocurement of an existing contract shall be placed in reserve by the Executive Office of the Governor.*

Section 48. *(1) Each state agency, as defined in s. 216.011, Florida Statutes, shall review its contracts and, for any contract with a preferred-pricing clause, the agency shall ensure that the contractor complies with such clause.*

(2) Each contract executed, renewed, extended, or modified on or after July 1, 2010, which includes a preferred-pricing clause, must require an affidavit from an authorized representative of the contractor attesting that the contract is in compliance with the preferred-pricing clause. Such affidavit must be submitted at least annually. A contractor's failure to comply with a preferred-pricing clause is grounds for terminating the contract at the state agency's sole discretion.

(3) As used in this section, the term "preferred-pricing clause" means a contractual provision under which the state is offered the most favorable price that the contractor offers to any client.

Section 49. *(1) Consistent with the principles of promoting employment of state residents, ensuring that the expenditure of state funds benefits state residents, and encouraging economic development within the state, each entity expending funds provided in the General Appropriations Act for the 2010-2011 fiscal year for any purchase of goods and services in excess of $5 million shall give preference, to the maximum extent possible under or consistent with applicable state and federal laws, to vendors or businesses that have a principal place of business in the State of Florida and that commit contractually to maximize the use of state residents, state products, and other Florida-based businesses in fulfilling their contractual duties.*

(2) This section does not apply to any contract that was funded prior to June 1, 2010.

(3) Each state agency shall identify contracts that are subject to this section and shall report by March 1, 2011, to the Agency for Workforce Innovation each contractor's compliance with this section.

Section 50. *The sum of $311,915 from the General Revenue Fund is appropriated and five full-time equivalent positions and associated salary rate are authorized to the Department of Financial Services to implement the provisions of this act.*

Section 51. This act shall take effect July 1, 2010.

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 financial matters; amending s. 14.204, F.S.; conforming a cross-reference; amending s. 17.20, F.S.; providing that each agency is responsible for exercising due diligence in securing payment for all accounts receivable and other claims due the state; creating requirements for agencies for purposes of reporting delinquent accounts receivable; requiring agencies to report annually to the Legislature and Chief Financial Officer on accounts receivable and other claims due the state; requiring the Chief Financial Officer to report annually to the Governor and Legislature on claims for collections due the state; amending s. 17.29, F.S.; authorizing the Chief Financial Officer to adopt rules requiring that payments made by the state for goods, services, or anything of value be made by electronic means; requiring that the rules include methods for accommodating persons who may not be able to receive payment by electronic means; authorizing the Chief Financial Officer to make payments by warrant if administratively necessary; amending ss. 43.16, 61.1826 and 112.3215, F.S.; conforming cross-references; amending s. 215.322, F.S.; conforming provisions to

changes made by the act to authorize state agencies, local governments, and the judicial branch to accept payments by electronic funds transfers; providing for the adoption of rules to facilitate such payments and to accommodate persons who may not be able to make payments by electronic means; authorizing the Chief Financial Officer to adopt rules establishing uniform security safeguards for cardholder data; creating s. 215.971, F.S.; requiring that agency agreements that provide state or federal financial assistance to a recipient or subrecipient include certain provisions; amending s. 216.3475, F.S.; requiring an agency that is awarded funding on a noncompetitive basis for certain services as specified in the General Appropriations Act to maintain specified documentation supporting a cost analysis; amending s. 255.249, F.S.; conforming a provision to the repeal of s. 287.1345, F.S.; amending s. 255.25, F.S.; conforming a provision to the repeal of s. 287.1345, F.S.; conforming a cross-reference; amending s. 283.32, F.S.; conforming provisions to the repeal of s. 287.045, F.S.; amending s. 286.0113, F.S.; conforming a cross-reference; amending s. 287.012, F.S.; revising, eliminating, and providing definitions; amending s. 287.017, F.S.; revising the threshold amounts for state purchasing categories; eliminating a requirement that the Department of Management Services adopt rules to adjust the threshold amounts; amending s. 287.022, F.S.; conforming a cross-reference; repealing s. 287.045, F.S., relating to procurement of products and materials with recycled content; amending s. 287.056, F.S.; specifying the provisions to be included in state agency purchasing agreements; amending s. 287.057, F.S.; revising and organizing provisions relating to the procurement of commodities and contractual services by the state; specifying authorized uses for competitive solicitation processes; providing procedures and requirements with respect to competitive solicitation; specifying types of procurements for which invitations to bid, requests for proposals, and invitations to negotiate are to be used and providing procedures and requirements with respect thereto; revising contractual services and commodities that are not subject to competitive-solicitation requirements; prohibiting an agency from dividing the solicitation of commodities or contractual services in order to avoid specified requirements; requiring that an agency avoid, neutralize, or mitigate significant potential organizational conflicts of interests before a contract is awarded; providing procedures and requirements with respect to mitigation of such conflicts of interest; authorizing an agency to proceed with a contract award when such conflict cannot be avoided or mitigated under specified circumstances and providing a restriction on such award; specifying conditions that constitute an unfair competitive advantage for a vendor; amending s. 287.0571, F.S.; revising applicability of ss. 287.0571-287.0574, F.S.; specifying procurements and contracts to which s. 287.0571, F.S., relating to agency business cases for outsourcing of specified projects, does not apply; requiring an agency to complete a business case for any outsourcing project that has an expected cost in excess of a specified amount within a single fiscal year; providing for the submission of the business case in accordance with provisions governing the submission of agency legislative budget requests; providing that a business case is not subject to challenge; providing required components of a business case; specifying required provisions for a contract for a proposed outsourcing; repealing s. 287.05721, F.S., relating to definitions; repealing s. 287.0573, F.S., relating to the Council on Efficient Government and its membership and duties; repealing s. 287.0574, F.S., relating to provisions governing business cases for outsourcing and the review and analysis conducted thereunder, the requirements of which are relocated in other sections of Florida Statutes set forth in the act; creating s. 287.0575, F.S.; establishing duties and responsibilities of the Department of Children and Family Services, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, and the Department of Veterans' Affairs, and service providers under contract to those agencies, with respect to coordination of contracted services; requiring state agencies contracting for health and human services to notify their contract service providers of certain requirements by a specified date or upon entering into any new contract for health and human services; requiring each service provider that has more than one contract with one or more state agencies to provide health and human services to provide to each of its contract managers a comprehensive list of its health and human services contracts by a specified date; specifying information to be contained in the list; providing for assignment, by a specified date, of a single lead administrative coordinator for each service provider from among agencies having multiple health and human services contracts; requiring that the lead administrative coordinator provide notice of his or her designation to the service provider and to the agency contract managers for each affected contract; providing the method of selecting the lead administrative coordinator; providing responsibilities of the designated lead administrative coordinator; providing duties of contract managers for agency contracts; providing for nonapplicability under certain circumstances; requiring annual performance evaluations of designated lead administrative coordinators by each agency contracting for health and human services; providing for a report to the Governor and Legislature; amending s. 287.058, F.S.; revising provisions regarding contracts for services; specifying provisions to be included in such contracts; amending s. 287.059, F.S.; conforming a cross-reference; repealing s. 287.1345, F.S., relating to surcharge on users of state term contracts; amending ss. 295.187, 394.457, 394.47865, 402.40, 402.7305, 408.045, 427.0135, 445.024, 481.205, 570.07, 627.311, 627.351, 765.5155, 893.055 and 1013.38, F.S., and s. 21 of chapter 2009-55 and s. 31 of chapter 2009-223, Law of Florida; conforming cross-references; providing that statutorily authorized transaction or user fees do not apply to certain contracts for services if the services were exempt from such fees before a specified date; requiring state agencies to provide specified information to the Department of Financial Services relating to the purchase of commodities or services; requiring state agencies to review and renegotiate contract renewals and reprocurements in an effort to reduce contract payments; requiring the Executive Office of the Governor to place savings from the renegotiation of contract renewals or reprocurements in reserve; requiring each state agency to review its contracts to ensure that contractors comply with applicable preferred-pricing clauses; requiring certain contracts containing a preferred-pricing clause to require that the contractor submit an affidavit attesting to the contractor's compliance with the clause; defining the term "preferred-pricing clause;" requiring that each entity expending funds provided for in the 2010-2011 fiscal year give preference to vendors or businesses that have a principal place of business in Florida and that commit contractually to maximize the use of state residents, products, and businesses; providing an exception; requiring state agencies to report contractor compliance with such requirement to the Agency for Workforce Innovation; providing an appropriation and authorizing additional positions; providing an effective date.

On motion by Senator Alexander, the Conference Committee Report on **CS for SB 2386** was adopted. **CS for SB 2386** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1034, with amendment(s), and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for SB 1034—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.041, F.S.; revising the standards of conduct for commissioners of the Public Service Commission; requiring that commissioners observe and abide by the Code of Judicial Conduct while conducting docketed proceedings; providing for statutory preemption; providing for penalties; amending s. 350.042, F.S.; deleting references to "ex parte communications" and replacing such references with "prohibited communications;" providing a purpose; providing legislative intent; providing definitions; prohibiting a commissioner or the commissioner's direct reporting staff from initiating, engaging in, or considering prohibited communications in any proceeding other than an undocketed workshop or an internal affairs meeting; prohibiting any individual from discussing any matter with a commissioner or the commissioner's direct reporting staff which the individual reasonably foresees will be filed with the commission; requiring that any communication between a commissioner or the commissioner's direct reporting staff and a representative of a utility be made available to the public; requiring that any communication be posted on the commission's website within a specified time after the communication is made or received; requiring that the commission post on its website a copy of written communications received by the commission; requiring that the commission prepare a written summary of certain communications and post such summary on its website within a specified time after the communication is made or received; requiring that notice be posted on the commission's website a minimum number of hours before the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner's direct reporting staff; authorizing the Office of Public Counsel to participate in such communications for limited purposes; providing an exception for certain commission staff or industry representatives; providing that the restrictions on prohibited communications apply to communications made to or from the Governor, a member of the Cabinet, or a member of the Legislature; providing penalties for members of a commissioner's direct report staff who fail to report certain communications; amending s. 350.0605, F.S.; prohibiting former commissioners and members of a commissioner's direct reporting staff from lobbying the legislative or executive branch of state government on behalf of any client or industry regulated by the commission for 4 years after termination of service or employment with the commission; defining the term "commissioner's direct reporting staff;" prohibiting any former commissioner's direct reporting staff from appearing before the commission representing any client or industry regulated by the commission for 4 years after termination of employment with the commission; providing that such prohibitions apply to commissioners and their direct reporting staff who are appointed or reappointed to or who terminate their employment with the commission on or after a specified date; prohibiting a former commissioner or member of a commissioner's direct reporting staff from accepting employment by or compensation from certain entities regulated by the commission for a period of 4 years after termination of service or employment with the commission; providing that the prohibition applies to former commissioners and members of a commissioner's direct reporting staff who are appointed or reappointed to or hired with the commission on or after a specified date; amending s. 350.061, F.S.; extending reconfirmation intervals for the Public Counsel to 4 years from biennially; providing an effective date.

House Amendment 1 (884785) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 350.001, Florida Statutes, is amended to read:

350.001 Legislative intent.—

(1) The Florida Public Service Commission has been and shall continue to be an arm of the legislative branch of government. *In the exercise of its jurisdiction, the commission shall neither establish nor implement any regulatory policy that is contrary to, or is an expansion of, the authority granted to it by the Legislature.*

(2) The Public Service Commission shall perform its duties independently*, impartially, professionally, honorably, and without undue influence from any person*.

(3) It is the desire of the Legislature that the Governor participate in the appointment process of commissioners to the Public Service Commission. The Legislature accordingly delegates to the Governor a limited authority with respect to the Public Service Commission by authorizing him or her to participate in the selection of members only in the manner prescribed by s. 350.031.

Section 2. Paragraphs (b) and (d) of subsection (1) and subsection (5) of section 350.031, Florida Statutes, are amended to read:

350.031 Florida Public Service Commission Nominating Council.—

(1)

(b) All terms shall be for 4 years except those members of the House and Senate, who shall serve 2-year terms concurrent with the 2-year elected terms of House members. ~~All terms of the members of the Public Service Commission Nominating Council existing on June 30, 2008, shall terminate upon the effective date of this act; however, such members may serve an additional term if reappointed by the Speaker of the House of Representatives or the President of the Senate.~~ To establish staggered terms, appointments of members shall be made for initial terms to begin on July 1, 2008, with each appointing officer to appoint three legislator members, one of whom shall be a member of the minority party, to terms through the remainder of the 2-year elected terms of House members; one nonlegislator member to a 6-month term; one nonlegislator member to an 18-month term; and one nonlegislator member to a 42-month term. Thereafter, the terms of the nonlegislator members of the Public Service Commission Nominating Council shall begin on January 2 of the year the term commences and end 4 years later on January 1.

(d) Vacancies on the council shall be filled for the unexpired portion of the term in the same manner as original appointments to the council. A member may not be reappointed to the council, except for a member of the House of Representatives or the Senate who may be appointed to two 2-year terms~~, members who are reappointed pursuant to paragraph (b),~~ or a person who is appointed to fill the remaining portion of an unexpired term.

(5) A person may not be nominated to the Governor for appointment to the Public Service Commission until the council has determined that the person *satisfies the qualifications set forth in s. 350.04* ~~is competent and knowledgeable in one or more fields, which shall include, but not be limited to: public affairs, law, economics, accounting, engineering, finance, natural resource conservation, energy, or another field substantially related to the duties and functions of the commission~~. The commission shall fairly represent the ~~above stated~~ fields *identified in s. 350.04(2)*. Recommendations of the council shall be nonpartisan.

Section 3. Section 350.035, Florida Statutes, is created to read:

350.035 Prohibited influence on commissioners and commission staff.—

(1)(a) Neither the Governor, the President of the Senate, the Speaker of the House of Representatives, nor a member of the Public Service Commission Nominating Council shall attempt to sway the independent judgment of the commission by bringing pressure to bear upon a commissioner or commission employee through that person's role in the nomination, appointment, or confirmation of commissioners.

(b) The Commission on Ethics shall receive and investigate sworn complaints of violations of this subsection pursuant to ss. 112.322-112.3241.

(2)(a) To ensure that each commissioner, as a member of a collegial body, is afforded the benefit of unbiased and independent analysis and advice from its professional and technical staff, an individual commissioner may not demand or require any member of the commission staff, other than the commissioner's direct staff, to develop, present, or pursue a particular opinion, position, or course of action in relation to any substantive matter pending before the commission or a panel of commissioners. This paragraph does not prohibit the commission, as a collegial body, from directing its staff to pursue a course of action consistent with direction provided by the collegial body. Further, this paragraph is not intended to prohibit an individual commissioner from any otherwise lawful communication with commission staff, including any expression of opinion, position, or concern regarding a matter within the jurisdiction of the commission. A violation of this subsection is an act of malfeasance for purposes of ss. 112.3187-112.31895.

(b) The inspector general of the commission shall receive and investigate complaints of violations of this subsection.

Section 4. Section 350.04, Florida Statutes, is amended to read:

350.04 Qualifications of commissioners*; training and continuing education.*—

(1) A commissioner may not, at the time of appointment or during his or her term of office:

(a)~~(1)~~ Have any financial interest, other than ownership of shares in a mutual fund, in any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, in any public utility regulated by the commission, or in any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(b)~~(2)~~ Be employed by or engaged in any business activity with any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, by any public utility regulated by the commission, or by any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(2) Each person recommended for appointment to the Public Service Commission by the Public Service Commission Nominating Council must:

(a) Have earned at least a baccalaureate degree from an institution of higher learning accredited by a regional or national accrediting body; and

(b) Possess a minimum of 10 years of professional experience, or a minimum of 6 years of professional experience if the person has earned an advanced degree, in one or more of the following:

1. Energy or electric industry issues.

2. Telecommunications issues.

3. Water and sewer industry issues.

4. Finance.

5. Economics.

6. Accounting.

7. Engineering.

8. Law.

(3) Notwithstanding subsection (2), the council may recommend a person for appointment to the commission if it determines that the person has professional experience of a quality and duration substantial enough to prepare the person to perform the duties of a public service commissioner and functionally equivalent to the standards set forth in subsection (2). The nomination of a person under this subsection who would not otherwise qualify for nomination under subsection (2) shall require a two-thirds vote of the council and shall be accompanied by a written justification for the nomination.

(4) Before voting on any matter before the commission, each person appointed to the commission after July 1, 2010, shall complete a comprehensive course of study, developed by the commission's executive director and general counsel in coordination with the National Association of Regulatory Utility Commissioners Subcommittee on Education and Research, that addresses the substantive matters within the jurisdiction of the commission, administrative law applicable to commission proceedings, and standards of conduct applicable to commissioners. Thereafter, each commissioner must annually complete no less than 10 hours of continuing professional education directly related to substantive matters within the jurisdiction of the commission.

(5) No less than once every 12 months, each commissioner and commission employee shall receive training, in a form developed by the commission's executive director and general counsel, that addresses the ethical standards of conduct applicable to commissioners and the commission's staff.

(6) The chair of the commission shall certify the commission's compliance with these requirements, and each commissioner shall certify his or her individual compliance with the continuing professional education requirements provided in subsection (4). Each certification of compliance shall be provided to the President of the Senate and the Speaker of the House of Representatives.

Section 5. Section 350.041, Florida Statutes, is amended to read:

350.041 Commissioners; standards of conduct.—

(1) STATEMENT OF INTENT.—

(a) Professional, impartial, and honorable commissioners are indispensable to the effective performance of the commission's duties. A commissioner shall maintain high standards of conduct and shall personally observe those standards so that the integrity and impartiality of the commission may be preserved. The standards of conduct provided in this section should be construed and applied to further that objective.

(b) In addition to the provisions of part III of chapter 112, which are applicable to public service commissioners by virtue of their being public officers and full-time employees of the legislative branch of government, the conduct of public service commissioners shall be governed by the standards of conduct provided in this section. Nothing shall prohibit the standards of conduct from being more restrictive than part III of chapter 112. Further, this section shall not be construed to contravene the restrictions of part III of chapter 112. In the event of a conflict between this section and part III of chapter 112, the more restrictive provision shall apply.

(2) STANDARDS OF CONDUCT.—

(a) A commissioner may not accept anything from any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, from any public utility regulated by the commission, or from any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission. A commissioner may attend conferences and associated meals and events that are generally available to all conference participants without payment of any fees in addition to the conference fee. Additionally, while attending a conference, a commissioner may attend meetings, meals, or events that are not sponsored, in whole or in part, by any representative of any public utility regulated by the commission and that are limited to commissioners only, committee members, or speakers if the commissioner is a member of a committee of the association of regulatory agencies that organized the conference or is a speaker at the conference. It is not a violation of this paragraph for a commissioner to attend a conference for which conference participants who are employed by a utility regulated by the commission have paid a higher conference registration fee than the commissioner, or to attend a meal or event that is generally available to all conference participants without payment of any fees in addition to the conference fee and that is sponsored, in whole or in part, by a utility regulated by the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(b) A commissioner may not accept any form of employment with or engage in any business activity with any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, any public utility regulated by the commission, or any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(c) A commissioner may not have any financial interest, other than shares in a mutual fund, in any public utility regulated by the commission, in any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, or in any business entity which, either directly or indirectly, is an affiliate or

subsidiary of any public utility regulated by the commission. If a commissioner acquires any financial interest prohibited by this section during his or her term of office as a result of events or actions beyond the commissioner's control, he or she shall immediately sell such financial interest or place such financial interest in a blind trust at a financial institution. A commissioner may not attempt to influence, or exercise any control over, decisions regarding the blind trust.

(d) A commissioner may not accept anything from a party in a proceeding currently pending before the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(e) A commissioner may not serve as the representative of any political party or on any executive committee or other governing body of a political party; serve as an executive officer or employee of any political party, committee, organization, or association; receive remuneration for activities on behalf of any candidate for public office; engage on behalf of any candidate for public office in the solicitation of votes or other activities on behalf of such candidacy; or become a candidate for election to any public office without first resigning from office.

(f) A commissioner, during his or her term of office, may not make any public comment regarding the merits of any proceeding under ss. 120.569 and 120.57 currently pending before the commission.

(g) A commissioner may not conduct himself or herself in an unprofessional manner at any time during the performance of his or her official duties.

(h) The chair shall require order and decorum in proceedings before the commission. In the absence of the chair, the commissioner presiding over a commission proceeding shall require order and decorum in the proceeding.

(i) A commissioner shall be patient, dignified, and courteous to litigants, other commissioners, witnesses, lawyers, commission staff, and others with whom the commissioner deals in an official capacity.

(j) A commissioner shall perform his or her official duties without bias or prejudice. A commissioner may not, in the performance of his or her official duties, by words or conduct manifest bias or prejudice.

(k) A commissioner may not, with respect to parties or classes of parties, cases, controversies, or issues likely to come before the commission, make pledges, promises, or commitments that are inconsistent with the impartial performance of the commissioner's official duties.

(l) A commissioner may not be swayed by partisan interests, public clamor, or fear of criticism.

(m)~~(h)~~ A commissioner must avoid impropriety in all of his or her activities and must act at all times in a manner that promotes public confidence in the integrity and impartiality of the commission.

(n)~~(i)~~ A commissioner may not directly or indirectly, through staff or other means, solicit anything of value from any public utility regulated by the commission, or from any business entity that, whether directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission, or from any party appearing in a proceeding considered by the commission in the last 2 years.

(3) *INVESTIGATIONS; REPORTS; ADVISORY OPINIONS.—*

(a) The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) The Commission on Ethics shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations *with respect to alleged violations by a public service commissioner*. The Governor is authorized to enforce *these* ~~the~~ findings and recommendations ~~of the Commission on Ethics,~~ pursuant to part III of chapter 112.

(c) A public service commissioner*, a commission employee,* or a member of the Florida Public Service Commission Nominating Council may request an advisory opinion from the Commission on Ethics, pursuant to s. 112.322(3)(a), regarding the standards of conduct or prohibitions set forth in this section and ss. 350.031, 350.04, and 350.042.

Section 6. Section 350.042, Florida Statutes, is amended to read:

350.042 Ex parte communications.—

(1) *Each* ~~A~~ commissioner *and member of a commissioner's direct staff shall* ~~should~~ accord to every person who is *a party to or is registered with the commission as an interested person in a proposed agency action proceeding, or who is a party to a proceeding under s. 120.565, s. 120.569, or s. 120.57* ~~legally interested in a proceeding~~, or the person's lawyer, full right to be heard according to law, and, except as authorized by law, shall *not* ~~neither~~ initiate*, solicit, or* ~~nor~~ consider ex parte communications concerning *a pending proposed agency action* ~~the merits, threat, or offer of reward in any~~ proceeding *or a proceeding under s. 120.565, s. 120.569, or s. 120.57* ~~other than a proceeding under s. 120.54 or s. 120.565, workshops, or internal affairs meetings~~. No individual shall discuss ex parte with a commissioner *or a member of a commissioner's direct staff* the merits of any issue that he or she *reasonably foresees* ~~knows~~ will be filed with the commission ~~within 90 days~~. ~~The provisions of this subsection shall not apply to commission staff.~~

(a) As used in this section, the term "ex parte communication" means any communication that:

1. If it is a written or printed communication or a communication in electronic form, is not served on all parties to a proceeding; or

2. If it is an oral communication, is made without adequate notice to the parties and without an opportunity for the parties to be present and heard.

(b) Where circumstances require, ex parte communications concerning scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized, if:

1. The commissioner or member of a commissioner's direct staff reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication; and

2. The commissioner or member of a commissioner's direct staff makes provision promptly to notify all parties of the substance of the ex parte communication and, where possible, allows an opportunity to respond.

(2) The provisions of this section shall not prohibit an individual residential ratepayer from communicating with a commissioner *or member of a commissioner's direct staff*, provided that the ratepayer is representing only himself or herself, without compensation.

(3) This section shall not apply to oral communications or discussions in scheduled and noticed open public meetings of educational programs or of a conference or other meeting of an association of regulatory agencies.

(4) If a commissioner *or member of a commissioner's direct staff* knowingly receives an ex parte communication *prohibited by this section* ~~relative to a proceeding other than as set forth in subsection (1)~~, to which he or she is assigned, he or she must place on the record of the proceeding copies of all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received and all oral responses made, and shall give written notice to all parties to the communication that such matters have been placed on the record. Any party *to the proceeding* who desires to respond to *the* ~~an ex parte~~ communication may do so. The response must be received by the commission within 10 days after receiving notice that the ~~ex parte~~ communication has been placed on the record. The commissioner may, if he or she deems it necessary to eliminate the effect of an ex parte communication received by him or her, withdraw from the proceeding, in which case the chair shall substitute another commissioner for the proceeding.

(5) Any individual who makes an ex parte communication *prohibited by this section* shall submit to the commission a written statement describing the nature of such communication, to include the name of the person making the communication, the name of *each* ~~the~~ commissioner or *direct staff member of a commissioner* ~~commissioners~~ receiving the communication, copies of all written communications made, all written responses to such communications, and a memorandum stating the substance of all oral communications received and all oral responses made. The commission shall place on the record of a proceeding all such communications.

(6) Any commissioner *or member of a commissioner's direct staff* who knowingly fails to place on the record any *ex parte communication prohibited by this section* ~~such communications~~, in violation of *this* ~~the~~ section, within 15 days *after* ~~of~~ the date of *the* ~~such~~ communication is subject to removal *or dismissal* and may be assessed a civil penalty not to exceed $5,000. *Any individual who knowingly fails to comply with subsection (5) may be assessed a civil penalty not to exceed $5,000.*

(7)(a) It *is* ~~shall be~~ the duty of the Commission on Ethics to receive and investigate sworn complaints of violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) If the Commission on Ethics finds that there has been a violation of this section by a public service commissioner *or member of a commissioner's direct staff*, it shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations. The Governor is authorized to enforce the findings and recommendations of the Commission on Ethics, pursuant to part III of chapter 112.

(c) If a commissioner*, a member of a commissioner's direct staff, or other individual* fails or refuses to pay the Commission on Ethics any civil penalties assessed pursuant to ~~the provisions of~~ this section, the Commission on Ethics may bring an action in any circuit court to enforce *the* ~~such~~ penalty.

(d) If, during the course of an investigation by the Commission on Ethics into an alleged violation of this section, allegations are made as to the identity of the person who participated in the ex parte communication, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person participated in the ex parte communication, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

Section 7. Subsections (1), (2), and (3) of section 350.06, Florida Statutes, are amended to read:

350.06 Place of meeting; expenditures; employment of personnel; records availability and fees.—

(1) The offices of *the commission* ~~said commissioners~~ shall be in the vicinity of Tallahassee, but the commissioners may hold sessions anywhere in the state at their discretion.

(2) All sums of money authorized to be paid on account of *the commission* ~~said commissioners~~ shall be paid out of the State Treasury only on the order of the Chief Financial Officer.

(3)*(a)* The *commission shall* ~~commissioners may~~ employ *an executive director, a general counsel, and an inspector general* ~~clerical, technical, and professional personnel reasonably necessary for the performance of their duties and may also employ one or more persons capable of stenographic court reporting, to be known as the official reporters of the commission~~. *Selection of the executive director shall be subject to confirmation by the Senate. Until such time as the Senate confirms the selection of the executive director, the individual selected shall perform the functions of the position. If the Senate refuses to confirm or fails to consider the selection during its next regular session, the commission shall, within 30 days, select another individual for Senate confirmation. This process shall continue until the Senate has confirmed a selection. In case of a vacancy in the position of executive director, the commission shall select a new executive director in the same manner as the original selection.*

(b) Each commissioner may employ a chief advisor and an executive assistant to serve as the direct staff of the commissioner.

(c) Notwithstanding any other provision of law, the executive director shall employ clerical, technical, and professional personnel reasonably necessary to assist the commission in the performance of its duties, and may employ one or more persons capable of stenographic court reporting, to be known as the official reporters of the commission. The executive director shall have sole authority with respect to employment, compensation, supervision, and direction of agency personnel other than those personnel employed by the commission and individual commissioners under paragraphs (a) and (b).

(d) The general counsel shall, in consultation with the executive director, employ attorneys, paralegals, legal secretaries, and other personnel reasonably necessary to assist the commission in the performance of its duties.

Section 8. Section 350.122, Florida Statutes, is created to read:

350.122 Testimony; public disclosure of affiliation.—

(1) Each person offering testimony at a meeting, workshop, hearing, or other scheduled event of the commission shall disclose any financial or fiduciary relationship with any party to the proceedings at the time the testimony is provided to the commission.

(2) The determination by the commission that a person has knowingly violated this section constitutes agency action for which a hearing may be sought under chapter 120.

Section 9. *Prior to the 2011 Regular Session, the Legislature intends to study and evaluate the structure and processes of the Public Service Commission and any related matters to determine whether the commission should be restructured in a manner that establishes the commission's primary role as an independent and impartial decisionmaking body, enhances due process for all persons involved in commission proceedings, ensures that a public interest position will be presented in commission proceedings, and allows commission staff to freely gather information necessary to advise the commission and advocate for the public interest, while ensuring that the staff is not used as a conduit for prohibited ex parte communications. In cooperation with the Legislature, the commission's staff shall, as requested, provide assistance and information relevant to this study.*

Section 10. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to reorganization of the Public Service Commission; amending s. 350.001, F.S.; revising legislative intent; amending s. 350.031, F.S.; revising requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; creating s. 350.035, F.S.; prohibiting attempts by certain persons to sway the judgment of commissioners; providing for the Commission on Ethics to receive and investigate complaints of violations pursuant to specified procedures; prohibiting commissioners from requiring or demanding that certain commission staff pursue particular positions or courses of action; requiring the inspector general of the commission to investigate complaints of violations; amending s. 350.04, F.S.; providing requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring commissioners to complete a course of study developed by the executive director and general counsel; requiring commissioners to complete continuing education; providing training requirements for commissioners and commission employees; requiring certifications of compliance to be provided to the Legislature; amending s. 350.041, F.S.; revising legislative intent; revising standards of conduct for commissioners; revising provisions for investigation and reports by the Commission on Ethics of alleged violations; authorizing commission employees to request opinions from the Commission on Ethics; amending s. 350.042, F.S.; revising provisions for communications concerning agency action proceedings and proceedings under specified provisions; providing for application of such provisions to members of a commissioner's direct staff; revising restrictions on such communications by commissioners and their direct staff; defining the term "ex parte communication;" providing a civil penalty; amending s. 350.06, F.S.; revising provisions for the offices of the commission, pay-

ment of moneys, and employment of personnel; creating s. 350.122, F.S.; requiring persons testifying before the Public Service Commission to disclose certain financial and fiduciary relationships; providing that a determination by the commission that a violation occurred constitutes agency action for which a hearing may be sought; providing legislative intent to evaluate and study the structure and processes of the Public Service Commission; providing an effective date.

House Amendment 1A (148795)—Remove line 511 and insert:

Section 10. This act shall take effect upon becoming a law.

Senator Fasano moved the following amendments which were adopted:

Senate Amendment 1 (678588) (with title amendment) to House Amendment 1 as amended—Delete lines 58-467 and insert: has determined that the person is competent and knowledgeable in one or more fields, which shall include, but not be limited to: public affairs, law, economics, accounting, engineering, finance, natural resource conservation, energy, or another field substantially related to the duties and functions of the commission. The commission shall fairly represent the above-stated fields. Recommendations of the council shall be nonpartisan.

Section 3. Section 350.035, Florida Statutes, is created to read:

350.035 Prohibited influence on commissioners and commission staff.—

(1)(a) Neither the Governor, the President of the Senate, the Speaker of the House of Representatives, nor a member of the Public Service Commission Nominating Council shall attempt to sway the independent judgment of the commission by bringing pressure to bear upon a commissioner or commission employee through that person's role in the nomination, appointment, or confirmation of commissioners.

(b) The Commission on Ethics shall receive and investigate sworn complaints of violations of this subsection pursuant to ss. 112.322-112.3241.

(2)(a) To ensure that each commissioner, as a member of a collegial body, is afforded the benefit of unbiased and independent analysis and advice from its professional and technical staff, an individual commissioner may not demand or require any member of the commission staff, other than the commissioner's direct staff, to develop, present, or pursue a particular opinion, position, or course of action in relation to any substantive matter pending before the commission or a panel of commissioners. This paragraph does not prohibit the commission, as a collegial body, from directing its staff to pursue a course of action consistent with direction provided by the collegial body. Further, this paragraph is not intended to prohibit an individual commissioner from any otherwise lawful communication with commission staff, including any expression of opinion, position, or concern regarding a matter within the jurisdiction of the commission. A violation of this subsection is an act of malfeasance for purposes of ss. 112.3187-112.31895.

(b) The inspector general of the commission shall receive and investigate complaints of violations of this subsection.

Section 4. Section 350.041, Florida Statutes, is amended to read:

350.041 Commissioners; standards of conduct.—

(1) STATEMENT OF INTENT.—

(a) Professional, impartial, and honorable commissioners are indispensable to the effective performance of the commission's duties. A commissioner shall maintain high standards of conduct and shall personally observe those standards so that the integrity and impartiality of the commission may be preserved. The standards of conduct provided in this section should be construed and applied to further that objective.

(b) In addition to the provisions of part III of chapter 112, which are applicable to public service commissioners by virtue of their being public officers and full-time employees of the legislative branch of government, the conduct of public service commissioners shall be governed by the standards of conduct provided in this section. Nothing shall prohibit the standards of conduct from being more restrictive than part III of chapter 112. Further, this section shall not be construed to contravene the restrictions of part III of chapter 112. In the event of a conflict between this section and part III of chapter 112, the more restrictive provision shall apply.

(2) STANDARDS OF CONDUCT.—

(a) A commissioner may not accept anything from any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, from any public utility regulated by the commission, or from any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission. A commissioner may attend conferences and associated meals and events that are generally available to all conference participants without payment of any fees in addition to the conference fee. Additionally, while attending a conference, a commissioner may attend meetings, meals, or events that are not sponsored, in whole or in part, by any representative of any public utility regulated by the commission and that are limited to commissioners only, committee members, or speakers if the commissioner is a member of a committee of the association of regulatory agencies that organized the conference or is a speaker at the conference. It is not a violation of this paragraph for a commissioner to attend a conference for which conference participants who are employed by a utility regulated by the commission have paid a higher conference registration fee than the commissioner, or to attend a meal or event that is generally available to all conference participants without payment of any fees in addition to the conference fee and that is sponsored, in whole or in part, by a utility regulated by the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(b) A commissioner may not accept any form of employment with or engage in any business activity with any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, any public utility regulated by the commission, or any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(c) A commissioner may not have any financial interest, other than shares in a mutual fund, in any public utility regulated by the commission, in any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, or in any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission. If a commissioner acquires any financial interest prohibited by this section during his or her term of office as a result of events or actions beyond the commissioner's control, he or she shall immediately sell such financial interest or place such financial interest in a blind trust at a financial institution. A commissioner may not attempt to influence, or exercise any control over, decisions regarding the blind trust.

(d) A commissioner may not accept anything from a party in a proceeding currently pending before the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(e) A commissioner may not serve as the representative of any political party or on any executive committee or other governing body of a political party; serve as an executive officer or employee of any political party, committee, organization, or association; receive remuneration for activities on behalf of any candidate for public office; engage on behalf of any candidate for public office in the solicitation of votes or other activities on behalf of such candidacy; or become a candidate for election to any public office without first resigning from office.

(f) A commissioner, during his or her term of office, may not make any public comment regarding the merits of any proceeding under ss. 120.569 and 120.57 currently pending before the commission.

(g) A commissioner may not conduct himself or herself in an unprofessional manner at any time during the performance of his or her official duties.

(h) The chair shall require order and decorum in proceedings before the commission. In the absence of the chair, the commissioner presiding over a commission proceeding shall require order and decorum in the proceeding.

(i) A commissioner shall be patient, dignified, and courteous to litigants, other commissioners, witnesses, lawyers, commission staff, and others with whom the commissioner deals in an official capacity.

(j) A commissioner shall perform his or her official duties without bias or prejudice. A commissioner may not, in the performance of his or her official duties, by words or conduct manifest bias or prejudice.

(k) A commissioner may not, with respect to parties or classes of parties, cases, controversies, or issues likely to come before the commission, make pledges, promises, or commitments that are inconsistent with the impartial performance of the commissioner's official duties.

(l) A commissioner may not be swayed by partisan interests, public clamor, or fear of criticism.

(m)~~(h)~~ A commissioner must avoid impropriety in all of his or her activities and must act at all times in a manner that promotes public confidence in the integrity and impartiality of the commission.

(n)~~(i)~~ A commissioner may not directly or indirectly, through staff or other means, solicit anything of value from any public utility regulated by the commission, or from any business entity that, whether directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission, or from any party appearing in a proceeding considered by the commission in the last 2 years.

(3) *INVESTIGATIONS; REPORTS; ADVISORY OPINIONS.—*

(a) The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) The Commission on Ethics shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations *with respect to alleged violations by a public service commissioner*. The Governor is authorized to enforce *these* ~~the~~ findings and recommendations ~~of the Commission on Ethics,~~ pursuant to part III of chapter 112.

(c) A public service commissioner*, a commission employee,* or a member of the Florida Public Service Commission Nominating Council may request an advisory opinion from the Commission on Ethics, pursuant to s. 112.322(3)(a), regarding the standards of conduct or prohibitions set forth in this section and ss. 350.031, 350.04, and 350.042.

Section 5. Section 350.042, Florida Statutes, is amended to read:

350.042 *Prohibited* ~~Ex parte~~ communications.—

(1) *This section shall govern communications made by or directed to commissioners and their direct reporting staff which concern proceedings before the Public Service Commission. The purpose of this section is to ensure the fairness of the commission's proceedings by assuring the public that the decisions by the commission are not influenced by prohibited communications between commissioners and legally interested persons.*

(a) It is the express intent of the Legislature that the commission shall afford to every person who is legally interested in a proceeding, or the person's attorney or qualified representative, the full right to be heard according to law except as otherwise prohibited in this section.

(b) For purposes of this section, the term:

1. "Legally interested person" means any party to a proceeding before the commission, or a representative of a party to a proceeding pending before the commission, and includes corporations, partnerships, limited liability companies, elected or appointed officials of state government, and other public and elected officials.

2. "Prohibited communication" means any communication regarding a docketed matter that, if written, is not served on all the parties to a proceeding, and, if oral, is made without adequate notice to the parties and an opportunity for them to be present and heard.

3. "Commissioner's direct reporting staff" means a commissioner's chief advisor and executive assistant.

(c) A commissioner *or the commissioner's direct reporting staff* ~~should accord to every person who is legally interested in a proceeding, or the person's lawyer, full right to be heard according to law, and, except as authorized by law,~~ shall neither initiate*, engage in,* nor consider *prohibited* ~~ex parte~~ communications ~~concerning the merits, threat, or offer of reward~~ in any proceeding other than *an undocketed workshop* ~~a proceeding under s. 120.54 or s. 120.565, workshops,~~ or *an* internal affairs *meeting* ~~meetings~~. ~~No individual shall discuss ex parte with a commissioner the merits of any issue that he or she knows will be filed with the commission within 90 days.~~ The provisions of this subsection shall not apply to commission staff *unless otherwise provided for in this section.*

(d) An individual shall not discuss any matter with a commissioner or the commissioner's direct reporting staff which the individual reasonably foresees will be filed with the commission.

(2)*(a) Any oral or written communication, not otherwise prohibited under subsection (1), between a commissioner or the commissioner's direct reporting staff and a representative of an entity regulated by the commission must be made available to the public. Such oral or written communication must be posted to the commission website within 72 hours after the communication was made or received.*

(b) The commission shall post on its website a copy of any written communication by the close of the next business day after the communication is received by the commission.

(c) The commission shall prepare a written summary of any communication related to a documented emergency or a communication related to a brief, unscheduled followup to a previously scheduled meeting or previously scheduled telephone conference call. The commission shall post the written summary on its website within 72 hours after the communication was made or received.

(d) Notice shall be posted on the commission's website at least 72 hours prior to the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner's direct reporting staff and a representative of a regulated entity. The Public Counsel may participate in the meeting, telephone conference call, or written communication for the purpose of questioning or directly responding to the communication.

(e) This subsection does not apply to commission staff or representatives of a regulated entity who are required to initiate or receive brief, unscheduled communications for the purpose of obtaining additional information that may be needed after the completion of an audit.

(3) ~~The provisions of~~ This section *does* ~~shall~~ not prohibit an individual ~~residential~~ ratepayer from communicating with a commissioner *or the commissioner's direct reporting staff if*~~, provided that~~ the ratepayer is representing only himself or herself~~,~~ without compensation.

(4) The restrictions on prohibited communications as provided in this section shall also apply to communications made by or directed to a commissioner and the commissioner's direct reporting staff to or from the Governor, a member of the Cabinet, or a member of the Legislature. Any written or oral communication from the Governor, a member of the Cabinet, or a member of the Legislature which is only a status inquiry and does not address the merits of a proceeding is not a prohibited communication. A written communication from the Governor, a member of the Cabinet, or a member of the Legislature which attaches or forwards a constituent's correspondence concerning the merits of a docketed proceeding shall be placed in the commission's docket files.

(5)~~(3)~~ This section *does* ~~shall~~ not apply to oral communications or discussions in scheduled and noticed open public meetings of educational programs or of a conference or other meeting of an association of reg-

ulatory agencies. *This exemption does not authorize a commissioner or the commissioner's direct reporting staff to discuss matters with any party or legally interested person to a proceeding.*

(6)~~(4)~~ If a commissioner *or the commissioner's direct reporting staff* knowingly receives *a prohibited* ~~an ex parte~~ communication *as provided in subsection (1) which is related* ~~relative~~ to a proceeding ~~other than as set forth in subsection (1),~~ to which *the commissioner* ~~he or she~~ is assigned, he or she must place on the record of the proceeding copies of all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received and all oral responses made. *The commissioner or the commissioner's direct reporting staff*~~, and~~ shall give written notice to all parties to the communication that such matters have been placed on the record. Any party who desires to respond to *a prohibited* ~~an ex parte~~ communication may do so. The response must be received by the commission within 10 days after receiving notice that the *prohibited* ~~ex parte~~ communication has been placed on the record. The commissioner may, if he or she deems it necessary to eliminate the effect of *a prohibited* ~~an ex parte~~ communication received by him or her, withdraw from the proceeding, in which case the chair shall substitute another commissioner for the proceeding.

(7)~~(5)~~ Any individual who makes *a prohibited* ~~an ex parte~~ communication shall submit to the commission a written statement describing the nature of *the* ~~such~~ communication, to include the name of the person making the communication, the name of *each* ~~the~~ commissioner *or member of the commissioner's direct reporting staff* ~~or commissioners~~ receiving the communication, copies of all written communications made, all written responses to such communications, and a memorandum stating the substance of all oral communications received and all oral responses made. The commission shall place on the record of a proceeding all such communications.

(8)~~(6)~~ Any commissioner *or member of the commissioner's direct reporting staff* who knowingly fails to place on the record any such communications, in violation of the section, within 15 days *after* ~~of~~ the date of *the* ~~such~~ communication is subject to removal *or dismissal* and may be assessed a civil penalty not to exceed $5,000.

(9)~~(7)~~(a) It *is* ~~shall be~~ the duty of the Commission on Ethics to receive and investigate sworn complaints of violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) If the Commission on Ethics finds that there has been a violation of this section by a ~~public service~~ commissioner *or the commissioner's direct reporting staff*, it shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations. The Governor *may* ~~is authorized to~~ enforce the findings and recommendations of the Commission on Ethics, pursuant to part III of chapter 112.

(c) If a commissioner *or the commissioner's direct reporting staff* fails or refuses to pay the Commission on Ethics any civil penalties assessed pursuant to the provisions of this section, the Commission on Ethics may bring an action in any circuit court to enforce such penalty.

(d) If, during the course of an investigation by the Commission on Ethics into an alleged violation of this section, allegations are made as to the identity of the person who participated in the *prohibited* ~~ex parte~~ communication, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person participated in the *prohibited* ~~ex parte~~ communication, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years *and may be assessed a civil penalty not to exceed $5,000. The regulated entity represented by the person, if applicable, may also be assessed a penalty of up to one-tenth of 1 percent of the entity's annual operating revenue for the most recent calendar year.*

Section 6. Subsections (1), (2), and (3) of section 350.06, Florida Statutes, are amended to read:

350.06 Place of meeting; expenditures; employment of personnel; records availability and fees.—

(1) The offices of *the commission* ~~said commissioners~~ shall be in the vicinity of Tallahassee, but the commissioners may hold sessions anywhere in the state at their discretion.

(2) All sums of money authorized to be paid on account of *the commission* ~~said commissioners~~ shall be paid out of the State Treasury only on the order of the Chief Financial Officer.

(3)*(a)* The *commission shall* ~~commissioners may~~ employ *an executive director, a general counsel, and an inspector general* ~~clerical, technical, and professional personnel reasonably necessary for the performance of their duties and may also employ one or more persons capable of stenographic court reporting, to be known as the official reporters of the commission~~.

And the title is amended as follows:

Delete lines 520-548 and insert: intent; amending s. 350.031, F.S.; revising provisions relating to members of the Public Service Commission Nominating Council; creating s. 350.035, F.S.; prohibiting attempts by certain persons to sway the judgment of commissioners; providing for the Commission on Ethics to receive and investigate complaints of violations pursuant to specified procedures; prohibiting commissioners from requiring or demanding that certain commission staff pursue particular positions or courses of action; requiring the inspector general of the commission to investigate complaints of violations; amending s. 350.041, F.S.; revising legislative intent; revising standards of conduct for commissioners; revising provisions for investigation and reports by the Commission on Ethics of alleged violations; authorizing commission employees to request opinions from the Commission on Ethics; amending s. 350.042, F.S.; deleting references to "ex parte communications" and replacing such references with "prohibited communications;" providing a purpose; providing legislative intent; providing definitions; prohibiting a commissioner or the commissioner's direct reporting staff from initiating, engaging in, or considering prohibited communications in any proceeding other than an undocketed workshop or an internal affairs meeting; prohibiting any individual from discussing any matter with a commissioner or the commissioner's direct reporting staff which the individual reasonably foresees will be filed with the commission; requiring that any communication between a commissioner or the commissioner's direct reporting staff and a representative of a utility be made available to the public; requiring that any communication be posted on the commission's website within a specified time after the communication is made or received; requiring that the commission post on its website a copy of written communications received by the commission; requiring that the commission prepare a written summary of certain communications and post such summary on its website within a specified time after the communication is made or received; requiring that notice be posted on the commission's website a minimum number of hours before the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner's direct reporting staff; authorizing the Office of Public Counsel to participate in such communications for limited purposes; providing an exception for certain commission staff or industry representatives; providing that the restrictions on prohibited communications apply to communications made to or from the Governor, a member of the Cabinet, or a member of the Legislature; providing penalties for members of a commissioner's direct report staff who fail to report certain communications;

Senate Amendment 2 (904532) to House Amendment 1 as amended—Delete line 368 and insert: *entity represented by the person, if applicable, may*

On motion by Senator Fasano, the Senate concurred in **House Amendment 1 (884785)** as amended and requested the House to concur in the Senate amendments to the House amendment; and concurred in **House Amendment 1A**.

CS for SB 1034 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Baker	Crist
Alexander	Bennett	Dean
Altman	Bullard	Detert
Aronberg	Constantine	Diaz de la Portilla

Dockery	Joyner	Ring
Fasano	Justice	Siplin
Gaetz	Lawson	Smith
Garcia	Lynn	Sobel
Gardiner	Negron	Storms
Gelber	Oelrich	Thrasher
Haridopolos	Peaden	Villalobos
Hill	Rich	Wilson
Jones	Richter	Wise

Nays—None

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1072, with 2 amendments, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for SB 1072—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 984.03, F.S.; redefining the terms "child in need of services" and "family in need of services" to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral to the Department of Juvenile Justice for a delinquent act; amending s. 984.14, F.S.; providing that a child may not be placed in a shelter before a court hearing unless the child is taken into custody for a misdemeanor domestic violence charge and is eligible to be held in secure detention; amending s. 985.02, F.S.; providing additional legislative findings and intent for the juvenile justice system; amending s. 985.03, F.S.; redefining the terms "child in need of services" and "family in need of services" to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral to the department for a delinquent act; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the department to establish prearrest or postarrest diversion programs; encouraging operators of diversion programs to give first-time misdemeanor offenders and offenders who are 9 years of age or younger an opportunity to participate in the programs; amending s. 985.145, F.S.; requiring a juvenile probation officer to make a referral to the appropriate shelter if the completed risk assessment instrument shows that the child is ineligible for secure detention; amending s. 985.24, F.S.; prohibiting a child alleged to have committed a delinquent act or violation of law from being placed into secure, nonsecure, or home detention care because of a misdemeanor charge of domestic violence if the child lives in a family that has a history of family violence or if the child is a victim of abuse or neglect; prohibiting a child 9 years of age or younger from being placed into secure detention care unless the child is charged with a capital felony, a life felony, or a felony of the first degree; amending s. 985.245, F.S.; revising membership on the statewide risk assessment instrument committee; amending s. 985.255, F.S.; providing that a child may be retained in home detention care under certain circumstances; providing that a child who is charged with committing a felony offense of domestic violence and who does not meet detention criteria may nevertheless be held in secure detention if the court makes certain specific written findings; amending s. 985.441, F.S.; authorizing a court to commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of juvenile mothers or expectant juvenile mothers who are committed as delinquents; requiring the department to adopt rules to govern the operation of the mother-infant program; amending s. 985.45, F.S.; providing that whenever a child is required by the court to participate in any juvenile justice work program, the child is considered an employee of the state for the purpose of workers' compensation; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to collect and analyze available statistical data for the purpose of ongoing evaluation of all juvenile justice programs; redefining terms; requiring the department to use a standard methodology to annually measure, evaluate, and report program outputs and youth outcomes for each program and program group; requiring that the department submit an annual report to the appropriate committees of the Legislature and the Governor; requiring that the department apply a program accountability measures analysis to each program; deleting obsolete provisions; amending s. 985.664, F.S.; providing that a juvenile justice circuit board may increase its membership to adequately reflect the diversity of the population, community organizations, and child care agencies in its circuit; reenacting ss. 419.001(1)(d), 984.04(5), and 984.15(2)(c) and (3)(c), F.S., relating to community residential homes, families and children in need of services, and filing decisions available to a state attorney, respectively, to incorporate the amendment made to s. 984.03, F.S., in references thereto; reenacting s. 984.13(3), F.S., relating to taking a child into custody, to incorporate the amendment made to s. 984.14, F.S., in a reference thereto; reenacting s. 419.001(1)(d), F.S., relating to community residential homes, to incorporate the amendment made to s. 985.03, F.S., in a reference thereto; providing an effective date.

House Amendment 1 (616303) (with title amendment)—Remove lines 519-532 and insert:

(c) Evaluate programs, whether operated by the department or by a provider under contract with the department, in the same manner and using the same standards, and take comparable actions as a result of such evaluations.

(d)~~(b)~~ Provide information about the cost of such programs and their differential effectiveness so that *program* ~~the~~ quality *may* ~~of such programs can~~ be compared and improvements made continually.

(e)~~(c)~~ Provide information to aid in developing related policy issues and concerns.

(f)~~(d)~~ Provide information to the public about the effectiveness of such programs in meeting established goals and objectives.

(g)~~(e)~~ Provide a basis for a system of accountability so that each *youth* ~~client~~ is afforded the best programs to meet his or her needs.

(h)~~(f)~~ Improve service delivery to *youth* ~~clients~~.

(i)~~(g)~~ Modify or eliminate activities that are not

And the title is amended as follows:

Remove line 70 and insert: of all juvenile justice programs and to evaluate programs, whether operated by the department or by a provider under contract with the department; redefining terms;

House Amendment 2 (355771) (with title amendment)—Between lines 830 and 831, insert:

Section 20. *The Legislature finds that a court is in the best position to weigh all facts and circumstances to determine whether to commit a juvenile before it to the Department of Juvenile Justice and to determine the most appropriate restrictiveness level when such a juvenile is committed to the department.*

And the title is amended as follows:

Remove line 95 and insert: thereto; providing legislative findings concerning the determination to commit a juvenile to the Department of Juvenile Justice and the appropriate restrictiveness level for such juvenile; providing an effective date.

On motion by Senator Wise, the Senate refused to concur in the House amendments to **CS for SB 1072** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment 1 to CS for CS for HB 911 and requests the Senate to recede.

Robert L. "Bob" Ward, Clerk

CS for CS for HB 911—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; requiring the State Consumer Health

Information and Policy Advisory Council to develop the Agency for Health Care Administration's strategic plan relating to electronic health records; amending s. 408.051, F.S.; defining the term "agency;" creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health records; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

On motion by Senator Ring, the Senate refused to recede from the Senate amendment to **CS for CS for HB 911** and again requested that the House concur. The action of the Senate was certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Fasano, by two-thirds vote **CS for SB 642** was withdrawn from the Committee on Education Pre-K - 12 Appropriations and by two-thirds vote placed on the Special Order Calendar; by two-thirds vote **SB 1980** was withdrawn from the Committees on Ethics and Elections; and Criminal Justice and by two-thirds vote placed on the Special Order Calendar; and by two-thirds vote **SB 2576** was withdrawn from the Committee on General Government Appropriations and by two-thirds vote placed on the Special Order Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1412, with 8 amendments, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for SB 1412—A bill to be entitled An act relating to obsolete or outdated agency plans, reports, and programs; repealing s. 13.01, F.S., which establishes the Florida Commission on Interstate Cooperation; repealing s. 13.02, F.S., which establishes the Senate Committee on Interstate Cooperation; repealing s. 13.03, F.S., which establishes the House of Representatives Committee on Interstate Cooperation; repealing s. 13.04, F.S., which provides terms and functions of both House and Senate standing committees; repealing s. 13.05, F.S., which establishes the Governor's Committee on Interstate Cooperation; repealing s. 13.06, F.S., which designates informal names of the committees and the commission; repealing s. 13.07, F.S., which provides the functions of the commission; repealing s. 13.08, F.S., which establishes the powers and duties of the commission; repealing s. 13.09, F.S., which declares the Council of State Government to be a joint governmental agency of Florida and other states; transferring and renumbering s. 13.10, F.S., relating to the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws; repealing s. 13.90, F.S., which establishes the Florida Legislative Law Revision Council; repealing s. 13.91, F.S., which establishes the membership of the council; repealing s. 13.92, F.S., which establishes the term limits for members appointed to the council; repealing s. 13.93, F.S., which declares all serving members of the council eligible for reappointment; repealing s. 13.94, F.S., which designates the chair and vice chair of the council; repealing s. 13.95, F.S., which declares that the members of the council shall serve without compensation; repealing s. 13.96, F.S., which provides the functions of the council; repealing s. 13.97, F.S., which provides that the council shall be the recipient of proposed changes and may make recommendations on such proposals; repealing s. 13.98, F.S., which provides that the council submit a report of all actions taken at each regular session of the Legislature; repealing s. 13.99, F.S., regarding personnel of the council; repealing s. 13.992, F.S., which defines the powers of the council; repealing s. 13.993, F.S., which authorizes the council to procure information from state, municipal corporations, or governmental department agencies; repealing s. 13.994, F.S., which authorizes the council to create rules and regulations for the conduct of business; repealing s. 13.995, F.S., which requires appropriations to carry out the purposes of the council; repealing s. 13.996, F.S., which provides that the first duty of the council shall be to complete revision of the criminal laws of the state of Florida; repealing s. 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs; amending s. 14.26, F.S.; revising reporting requirements of the Citizen's Assistance Office; repealing s. 14.27, F.S., relating to the Florida Commission on African-American Affairs; repealing s. 16.58, F.S., relating to the Florida Legal Resource Center; amending s. 17.32, F.S.; revising the recipients of the annual report of trust funds by the Chief Financial Officer; amending s. 17.325, F.S.; deleting a reporting requirement relating to the governmental efficiency hotline; amending s. 20.057, F.S.; deleting a reporting requirement of the Governor relating to interagency agreements to delete duplication of inspections; repealing s. 20.316(4)(e), (f), and (g), F.S., relating to information systems of the Department of Juvenile Justice; amending s. 20.43, F.S.; revising provisions relating to planning by the Department of Health; amending s. 39.4086, F.S.; deleting provisions relating to a report by the State Courts Administrator on a guardian ad litem program for dependent children; amending s. 98.255, F.S.; deleting provisions relating to a report on the effectiveness of voter education programs; amending s. 110.1227, F.S.; revising provisions relating to a report by the board of directors of the Florida Long-Term-Care Plan; amending s. 120.542, F.S.; deleting provisions relating to reports of petitions filed for variances to agency rules; repealing s. 153.952, F.S., relating to legislative findings and intent concerning privately owned wastewater systems and facilities; amending s. 161.053, F.S.; deleting a provision relating to a report on the coastal construction control line; amending s. 161.161, F.S.; deleting a provision requiring a report on funding for beach erosion control; repealing s. 163.2526, F.S., relating to the review and evaluation of urban infill; amending s. 163.3167, F.S.; deleting provisions relating to local government comprehensive plans; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; amending s. 163.3178, F.S.; deleting a duty of the Coastal Resources Interagency Management Committee to submit certain recommendations; repealing s. 163.519(12), F.S., relating to the requirement for a report on neighborhood improvement districts by the Department of Legal Affairs; repealing s. 186.007(9), F.S.; deleting provisions relating to a committee to recommend to the Governor changes in the state comprehensive plan; amending ss. 189.4035 and 189.412, F.S.; revising requirements relating to dissemination of the official list of special districts; amending s. 206.606, F.S.; revising provisions relating to a report on the Florida Boating Improvement Program; amending s. 212.054, F.S.; deleting the requirement for a report on costs of administering the discretionary sales surtax; amending s. 212.08, F.S.; deleting a requirement for a report on the sales tax exemption for machinery and equipment used in semiconductor, defense, or space technology production and research and development; repealing s. 213.0452, F.S., relating to a report on the structure of the Department of Revenue; repealing s. 213.054, F.S., relating to monitoring and reporting regarding persons claiming tax exemptions; amending s. 215.70, F.S.; requiring the State Board of Administration to report to the Governor when funds need to be appropriated to honor the full faith and credit of the state; amending s. 216.011, F.S.; redefining the term "long-range program plan"; repealing s. 216.181(10)(c), F.S., relating to reports of filled and vacant positions and salaries; amending s. 252.55, F.S.; revising certain reporting requirements relating to the Civil Air Patrol; amending s. 253.7825, F.S.; deleting provisions relating to the plan for the Cross Florida Greenways State Recreation and Conservation Area; repealing s. 253.7826, F.S., relating to structures of the Cross Florida Barge Canal; repealing s. 253.7829, F.S., relating to a management plan for retention or disposition of lands of the Cross Florida Barge Canal; amending s. 259.037, F.S.; revising provisions relating to a report of the Land Management Uniform Accounting Council; repealing s. 267.074(4), F.S., relating to a plan for the State Historical Marker Program; repealing s. 284.50(3), F.S., relating to a requirement for a report by the Interagency Advisory Council on Loss Prevention and certain department heads; repealing s. 287.045(11), F.S., relating to a requirement for reports on use of recycled products; repealing s. 288.108(7), F.S., relating to a requirement for a report by the Office of Tourism, Trade, and Economic Development on high-impact businesses; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; amending s. 288.1229, F.S.; revising duties of the direct-support organization to

support sports-related industries and amateur athletics; repealing s. 288.7015(4), F.S., relating to a requirement for a report by the rules ombudsman in the Executive Office of the Governor; amending s. 288.7771, F.S.; revising a reporting requirement of the Florida Export Finance Corporation; repealing s. 288.8175(8), (10), and (11), F.S., relating to certain responsibilities of the Department of Education with respect to linkage institutes between postsecondary institutions in this state and foreign countries; repealing s. 288.853(5), F.S., relating to the requirement for a report on assistance to and commerce with Cuba; amending s. 288.904, F.S.; deleting an obsolete provision requiring the creation of advisory committees on international and small business issues; amending s. 288.95155, F.S.; revising requirements for a report by Enterprise Florida, Inc., on the Florida Small Business Technology Growth Program; amending s. 288.9604, F.S.; deleting a requirement for a report by the Florida Development Finance Corporation; amending s. 288.9610, F.S.; revising provisions relating to annual reporting by the corporation; amending s. 292.05, F.S.; revising requirements relating to a report by the Department of Veterans' Affairs; repealing ss. 296.16 and 296.39, F.S., relating to reports by the executive director of the Department of Veterans' Affairs; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 319.324, F.S.; deleting provisions relating to funding a report on odometer fraud prevention and detection; repealing s. 322.181, F.S., relating to a study by the Department of Highway Safety and Motor Vehicles on driving by the elderly; repealing s. 322.251(7)(c), F.S., relating to a plan to indemnify persons wanted for passing worthless bank checks; amending s. 373.0391, F.S.; deleting provisions relating to provision of certain information by water management districts; amending s. 373.046, F.S.; deleting an obsolete provision requiring a report by the Secretary of Environmental Protection; repealing s. 376.121(14), F.S., relating to a report by the Department of Environmental Protection on damage to natural resources; repealing s. 376.17, F.S., relating to reports of the department to the Legislature; repealing s. 376.30713(5), F.S., relating to a report on preapproved advanced cleanup; amending s. 379.2211, F.S.; revising provisions relating to a report by the Fish and Wildlife Conservation Commission on waterfowl permit revenues; amending s. 379.2212, F.S.; revising provisions relating to a report by the commission on wild turkey permit revenues; repealing s. 379.2523(8), F.S., relating to duties of the Fish and Wildlife Conservation Commission concerning an aquaculture plan; amending s. 380.06, F.S.; deleting provisions on transmission of revisions relating to statewide guidelines and standards for developments of regional impact; repealing s. 380.0677(3), F.S., relating to powers of the Green Swamp Land Authority; repealing s. 381.0011(3), F.S., relating to an inclusion in the Department of Health's strategic plan; repealing s. 381.0036, F.S., relating to planning for implementation of educational requirements concerning HIV and AIDS; repealing s. 381.731, F.S., relating to strategic planning of the Department of Health; amending s. 381.795, F.S.; deleting provisions relating to studies by the Department of Health on long-term, community-based supports; amending s. 381.931, F.S.; deleting provisions relating to the duty of the Department of Health to develop a report on Medicaid expenditures; amending s. 383.19, F.S.; revising provisions relating to reports by hospitals contracting to provide perinatal intensive care services; repealing s. 383.21, F.S., relating to reviews of perinatal intensive care service programs; amending s. 383.2161, F.S.; revising requirements relating to a report by the Department of Health on maternal and child health; repealing s. 394.4573(4), F.S., relating to the requirement for a report by the Department of Children and Family Services on staffing state mental health facilities; amending s. 394.4985, F.S.; deleting provisions relating to plans by department districts; repealing s. 394.82, F.S., relating to the funding of expanded community mental health services; repealing s. 394.9082(9), F.S., relating to reports on contracting with behavioral health management entities; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 395.807(2)(c), F.S., relating to requirements for a report on the retention of family practice residents; repealing s. 397.332(3), F.S., relating to the requirement for a report by the director of the Office of Drug Control; repealing s. 397.94(1), F.S., relating to children's substance abuse services plans by service districts of the Department of Children and Family Services; repealing s. 400.148(2), F.S., relating to a pilot program of the Agency for Health Care Administration for a quality-of-care contract management program; amending s. 400.967, F.S.; deleting provisions relating to a report by the Agency for Health Care Administration on intermediate care facilities for developmentally disabled persons; repealing s. 402.3016(3), F.S., relating to the requirement for a report by the agency on Early Head Start collaboration grants; repealing s. 402.40(9), F.S., relating to submission to the Legislature of certain information related to child welfare training; amending s. 403.4131, F.S.; deleting provisions relating to a report on the adopt-a-highway program; repealing s. 403.706(2)(d), F.S., relating to local government solid waste responsibilities; repealing s. 406.02(4)(a), F.S., relating to the requirement for a report by the Medical Examiners Commission; amending s. 408.033, F.S.; revising provisions relating to reports by local health councils; repealing s. 408.914(4), F.S., relating to the requirement of the Agency for Health Care Administration to submit to the Governor a plan on the comprehensive health and human services eligibility access system; repealing s. 408.915(3)(i), F.S., relating to the requirement for periodic reports on the pilot program for such access; repealing s. 408.917, F.S., relating to an evaluation of the pilot project; amending s. 409.1451, F.S.; revising requirements relating to reports on independent living transition services; repealing s. 409.152, F.S., relating to service integration and family preservation; repealing s. 409.1679(1) and (2), F.S., relating to reports concerning residential group care services; amending s. 409.1685, F.S.; revising provisions relating to reports by the Department of Children and Family Services on children in foster care; repealing s. 409.221(4)(k), F.S., relating to reports on consumer-directed care; amending s. 409.25575, F.S.; deleting provisions relating to a report by the Department of Revenue regarding a quality assurance program for privatization of services; amending s. 409.2558, F.S.; deleting provisions relating to the Department of Revenue's solicitation of recommendations related to a rule on undistributable collections; repealing s. 409.441(3), F.S., relating to the state plan for the handling of runaway youths; amending s. 409.906, F.S.; deleting a requirement for reports of child-welfare-targeted case management projects; amending s. 409.912, F.S.; revising provisions relating to duties of the agency with respect to cost-effective purchasing of health care; repealing s. 410.0245, F.S., relating to a study of service needs of the disabled adult population; repealing s. 410.604(10), F.S., relating to a requirement for the Department of Children and Family Services to evaluate the community care for disabled adults program; amending s. 411.0102, F.S.; deleting provisions relating to use of child care purchasing pool funds; repealing s. 411.221, F.S., relating to prevention and early assistance; repealing s. 411.242, F.S., relating to the Florida Education Now and Babies Later program; amending s. 414.14, F.S.; deleting a provision relating to a report by the Secretary of Children and Family Services on public assistance policy simplification; repealing s. 414.36(1), F.S., relating to a plan for privatization of recovery of public assistance overpayment claims; repealing s. 414.391(3), F.S., relating to a plan for automated fingerprint imaging; amending s. 415.1045, F.S.; deleting a requirement for a study by the Office of Program Policy Analysis and Government Accountability on documentation of exploitation, abuse, or neglect; amending s. 420.622, F.S.; revising requirements relating to a report by the State Council on Homelessness; repealing s. 420.623(4), F.S., relating to the requirement of a report by the Department of Community Affairs on homelessness; amending s. 427.704, F.S.; revising requirements relating to a report by the Public Service Commission on a telecommunications access system; amending s. 427.706, F.S.; revising requirements relating to a report by the advisory committee on telecommunications access; amending s. 429.07, F.S.; deleting provisions relating to a report by the Department of Elderly Affairs on extended congregate care facilities; amending s. 429.41, F.S.; deleting provisions relating to a report concerning standards for assisted living facilities; amending s. 430.04, F.S.; revising duties of the Department of Elderly Affairs with respect to certain reports and recommendations; amending s. 430.502, F.S.; revising requirements with respect to reports by the Alzheimer's Disease Advisory Committee; amending s. 445.006, F.S.; deleting provisions relating to a strategic plan for workforce development; repealing s. 455.2226(8), F.S., relating to the requirement of a report by the Board of Funeral Directors and Embalmers; repealing s. 455.2228(6), F.S., relating to the requirement of reports by the Barbers' Board and the Board of Cosmetology; amending s. 456.005, F.S.; revising requirements relating to long-range planning by professional boards; amending s. 456.025, F.S.; revising requirements relating to a report to professional boards by the Department of Health; repealing s. 456.034(6), F.S., relating to reports by professional boards about HIV and AIDS; amending s. 517.302, F.S.; deleting a requirement for a report by the Office of Financial Regulation on deposits into the Anti-Fraud Trust Fund; repealing s. 531.415(3), F.S., relating to the requirement of a report by the Department of Agriculture and Consumer Services on fees; repealing s. 570.0705(3), F.S., relating to the requirement of a report by the Commissioner of Agriculture concerning advisory committees; amending s. 570.0725, F.S.; requiring that the Department of Agriculture and Consumer Services submit an electronic report to the

Legislature concerning support for food recovery programs; repealing s. 570.543(3), F.S., relating to legislative recommendations of the Florida Consumers' Council; amending s. 590.33, F.S.; deleting a reference to the Florida Commission on Interstate Cooperation to conform to changes made by the act; amending s. 603.204, F.S.; revising requirements relating to the South Florida Tropical Fruit Plan; amending s. 627.64872, F.S.; deleting provisions relating to an interim report by the board of directors of the Florida Health Insurance Plan; prohibiting the board from acting to implement the plan until certain funds are appropriated; amending s. 744.708, F.S.; revising provisions relating to audits of public guardian offices and to reports concerning those offices; amending s. 768.295, F.S.; revising duties of the Attorney General relating to reports concerning "SLAPP" lawsuits; amending s. 790.22, F.S.; deleting provisions relating to reports by the Department of Juvenile Justice concerning certain juvenile offenses that involve weapons; amending s. 943.125, F.S.; deleting provisions relating to reports by the Florida Sheriffs Association and the Florida Police Chiefs Association concerning law enforcement agency accreditation; amending s. 943.68, F.S.; revising requirements relating to reports by the Department of Law Enforcement concerning transportation and protective services; amending s. 944.801, F.S.; deleting a requirement to deliver to specified officials copies of certain reports concerning education of state prisoners; repealing s. 945.35(10), F.S., relating to the requirement of a report by the Department of Corrections concerning HIV and AIDS education; repealing s. 958.045(9), F.S., relating to a report by the department concerning youthful offenders; amending s. 960.045, F.S.; revising requirements relating to reports by the Department of Legal Affairs with respect to victims of crimes; repealing s. 985.02(8)(c), F.S., relating to the requirement of a study by the Office of Program Policy Analysis and Government Accountability on programs for young females within the Department of Juvenile Justice; amending s. 985.047, F.S.; deleting provisions relating to a plan by a multiagency task force on information systems related to delinquency; amending s. 985.47, F.S.; deleting provisions relating to a report on serious or habitual juvenile offenders; amending s. 985.483, F.S.; deleting provisions relating to a report on intensive residential treatment for offenders younger than 13 years of age; repealing s. 985.61(5), F.S., relating to a report by the Department of Juvenile Justice on early delinquency intervention; amending s. 985.622, F.S.; deleting provisions relating to submission of the multiagency plan for vocational education; repealing s. 985.632(7), F.S., relating to a report by the Department of Juvenile Justice on funding incentives and disincentives; repealing s. 1002.34(19), F.S., relating to an evaluation and report by the Commissioner of Education concerning charter technical career centers; repealing s. 1003.61(4), F.S., relating to evaluation of a pilot attendance project in Manatee County; amending s. 1004.22, F.S.; deleting provisions relating to university reports concerning sponsored research; repealing s. 1004.50(6), F.S., relating to the requirement of a report by the Governor concerning unmet needs in urban communities; repealing s. 1004.94(2) and (4), F.S., relating to guidelines for and a report on plans for a state adult literacy program; amending s. 1004.95, F.S.; revising requirements relating to implementing provisions for adult literacy centers; repealing s. 1006.0605, F.S., relating to students' summer nutrition; repealing s. 1006.67, F.S., relating to a report of campus crime statistics; amending s. 1009.70, F.S.; deleting provisions relating to a report on a minority law school scholarship program; amending s. 1011.32, F.S.; requiring the Governor to be given a copy of a report related to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.62, F.S.; deleting provisions relating to recommendations for implementing the extended-school-year program; repealing s. 1012.05(2)(l), F.S., relating to a plan concerning teacher recruitment and retention; amending s. 1012.42, F.S.; deleting provisions relating to a plan of assistance for teachers teaching out-of-field; amending s. 1013.11, F.S.; deleting provisions relating to transmittal of a report on physical plant safety; amending ss. 161.142, 163.065, 163.2511, 163.2514, 163.3202, 259.041, 259.101, 369.305, 379.2431, 381.732, 381.733, 411.01, 411.232, and 445.006, F.S., conforming cross-references to changes made by the act; amending s. 1001.42, F.S.; deleting provisions that require each district school board to reduce paperwork and data collection and report its findings and potential solutions on reducing burdens associated with such collection; amending s. 1008.31, F.S.; requiring that the Commissioner of Education monitor and review the collection of paperwork, data, and reports by school districts; requiring that the commissioner complete an annual review of such collection by a specified date each year; requiring that the commissioner prepare a report, by a specified date each year, assisting the school districts with eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; providing an effective date.

House Amendment 1 (701109) (with title amendment)—Remove lines 603-616

And the title is amended as follows:

Remove lines 70-72 and insert: Juvenile Justice; amending s. 39.4086, F.S.; deleting provisions

House Amendment 2 (653191)—Remove lines 1317-1322 and insert: Any amendments to chapter 9J-5, Florida Administrative Code, exclusive of the amendments adopted prior to October 1, 1986, pursuant to this act, shall be subject to the full chapter 120 process. All amendments shall have effective dates as provided in chapter 120 and submission to the President of the Senate and Speaker of the House of Representatives shall not be required.

House Amendment 3 (450439) (with title amendment)—Remove lines 1675-1676

And the title is amended as follows:

Remove lines 142-145 and insert: repealing s. 288.1185, F.S., relating to

House Amendment 4 (233735) (with title amendment)—Remove lines 2141-2142

And the title is amended as follows:

Remove lines 233-235 and insert: health services; repealing s. 394.9083,

House Amendment 5 (086067) (with title amendment)—Remove lines 3354-3367

And the title is amended as follows:

Remove lines 375-377 and insert: those offices; amending s. 790.22, F.S.;

House Amendment 6 (411275) (with title amendment)—Remove lines 3594-3595

And the title is amended as follows:

Remove lines 417-420 and insert: and disincentives; repealing s. 1003.61(4), F.S.,

House Amendment 7 (439619) (with title amendment)—Remove lines 3598-3696

And the title is amended as follows:

Remove lines 422-424 and insert: in Manatee County; repealing s. 1004.50(6), F.S.,

House Amendment 8 (560835) (with title amendment)—Remove lines 3699-3708

And the title is amended as follows:

Remove lines 427-431 and insert: repealing s. 1006.0605, F.S.,

On motion by Senator Haridopolos, the Senate concurred in the House amendments.

CS for CS for SB 1412 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	Baker	Crist
Alexander	Bennett	Dean
Altman	Bullard	Detert
Aronberg	Constantine	Diaz de la Portilla

Dockery	Joyner	Siplin
Fasano	Justice	Smith
Gaetz	Lawson	Sobel
Garcia	Lynn	Storms
Gardiner	Negron	Thrasher
Gelber	Oelrich	Villalobos
Haridopolos	Peaden	Wilson
Hill	Rich	Wise
Jones	Richter	

Nays—None

THE PRESIDENT PRESIDING

RECOGNITION OF SENATOR DIAZ DE LA PORTILLA

President Atwater: Senator Diaz de la Portilla: A seasoned and skilled legislator with legendary negotiating skills—a living example of someone who works hard, but can also play hard. Senator Diaz de la Portilla loves his district, the legislative process, and life. The stories of your legislative and political prowess, whether fabled or true, are renowned and will be oft retold. But, you will be most remembered for your passion for serving your district—the people of Miami and South Florida.

Your skillful intellect has been an asset to leaders in the House and Senate who have tackled tough issues. Some leaders are born, some are created, some lead but for a moment others for a lifetime—Senator you are a born leader and for the past 16 years you have led Representatives, Senators, and policy issues—championing freedom and democracy and legislation that will help Floridians be successful. Your knowledge of complex policy areas—Regulated Industries, Energy, Commerce—to name a few—leaves a void that few will be able to fill. Most of all, you will be missed for your tireless work to make your colleagues successful public servants—assisting new members or partnering with seasoned members.

The gift we have for you today is a testament to the diversity of the issues you have championed over your 16 years of legislative service. Today we present you with a framed copy of HB 751—the "A++ Plan" that created the Opportunity Scholarship Program. A groundbreaking Education Reform bill that ensured every child, regardless of their location, socio-economic status, or background, has an equal opportunity to receive a quality education.

SPECIAL PRESENTATION

The President presented Senator Diaz de la Portilla with a framed copy of HB 751, the A Plus Plus Legislation in recognition of his service with the Florida Senate and to the State of Florida.

Senator Diaz de la Portilla: When thinking about what I was going to say today and about these last 16 years, it dawned on me really quickly that these years are really not about me. It is about so many others. It really starts with my parents. Most of you don't really know them. I want to tell you a little bit about them. My parents were political exiles who fled a communist nation in 1961 with an 18 month old baby girl. They didn't want her to grow up in a place where she could not worship freely, where she would be told what to think, what to do and what to say. They were in their early 20's, and they left their homeland, their dreams and family behind. They came to America in search of opportunity and a new life. But more importantly, they came here in search of freedom.

We grew up in Little Havana, just a few miles from the Orange Bowl. We were just over 100 miles away from Cuba. At that time, my parents were not quite ready to let go of their culture; to let go of their heritage; to let go of their country. It was natural that I didn't even learn English until I was seven years old. Perhaps Senator Dean will tell you that I am still trying to learn it. Senator Lynn, maybe ESOL (English for Speakers of Other Languages) is in order.

My mom and dad eventually settled in this country. They embraced it, and it became their country. In fact, they fell in love with it. It was the beginning of the American dream for them; and for their new American family. As they struggled, my dad worked three different jobs. He was a barback, a waiter, and he even picked tomatoes.

Imagine a young man who was in law school at the University of Havana where he met my mother. There was no false sense of pride. He would work any job and do whatever it took to support and provide for his family, for they came first. He soon realized that he wasn't very good at these jobs. So then he decided he would sell furniture and mattresses at the local flea market. I remember my brother Miguel and I would wake up at 5 a.m. every Saturday and Sunday to go with him, and we did that for two years. He saved money and opened a small furniture store. That store grew into six stores. He realized he was selling more mattresses than furniture, and that people spend one third of their lives on mattresses; and some, like Senator Bennett, for example, even more than one third of their lives. That was in 1977 and that company eventually grew and became a Hispanic 500 Company.

What we kids didn't know at the time, and what we discovered decades later, was that while he was doing all this, he was also working for the US intelligence—coming in and out of Cuba over 40 times; spending over a month in Cuba before, during, and after the Bay of Pigs invasion, helping prepare for the invasion. He was assisting people seeking political freedom; seeking to enter the United States. For decades, he never spoke to us about it. In fact, I even phoned him a few months ago and called him by his code name for the first time ever. There was dead silence. "How do you know that?" he asked. "The Internet, Dad." Oh those computers are dangerous. That's the kind of man my father was, and is.

At the end of the day, the reality is that my dad's work paled in comparison to my mom's. She really had the hard part. She struggled to learn English and to make ends meet, but she endured and she overcame what seemed like insurmountable obstacles to guarantee that her children were fed, nurtured and taught the right values. We always came first. She gave up her dreams so we would one day have the opportunities to pursue ours. She had to raise four children in what was to her a strange and foreign land—a land that became her country, and eventually her children's country. These two Cuban exiles never envisioned that their children would grow up, and represent the community that they, with their sweat and tears, help build in South Florida.

As we grew up together, we all reached the inevitable conclusion that this country is beyond any doubt the greatest country on Earth. Where else on this planet would you have such unique opportunities? This is a place where people flee to and not from. This is a nation where you can do anything you dream of. Where one idea can become an opportunity and an opportunity can become a reality. Where everyday represents a new chance. Where nothing is unattainable, unreachable, and always achievable.

Over the years, as we became adults and our family grew, those years turned into decades. Acquaintances became friends and friends became family. Senators, I have been truly blessed to have made so many new friends. Friends that are now family.

Obviously, I can't mention them all today, but I do want to mention a few. My dear and trusted friend, Jim King, who left us way too soon, but who I know will always be with us in our hearts. He was my mentor and my older brother. He had faith in me when others did not, and he taught me the importance of perseverance. I learned to love life even with all its difficulties, trials and tribulations. He taught me to never give up. He still serves as an inspiration to me day in and day out, every time I come into this chamber or into any committee room. I know he is watching over me and I want you to know, President King, that I sorely miss you, my friend. This body will never be the same without you.

I also want to mention my staff, well they're not really my staff, they're not really my friends, in fact they're my family. Pat Gosney, my Tallahassee mom, kept me on task, which I know is not easy. She advised me during good and bad times. She will never know nor words can never express how grateful I am and how I will never forget all that she has done for me. Pat, I love you.

Then, there's good old Julio, who my mom calls "my little dark son." You have been my wingman for 20 years. You fought for freedom in your

native homeland of Nicaragua as a teen. You came to this country and you took it upon yourself to protect me, advise me, and you have never waivered. Your loyalty is second to none. While I know that many here may not know what you actually do, I do. I want you to know that your indentured servitude does not end today.

To my constituents who have honored me and trusted me with their support and faith, this seat is yours; you have allowed me to borrow it and to serve you; to work for you. Your worries, concerns and doubts are always on my mind. You come first and foremost, as you should. If I have failed you in any way, please know that I have always given it my all.

To every colleague in this chamber: over the last 16 years we may have differed in opinion, in style or in ideology. At the end of the day, each and every one of you is unique because you represent people from all walks of life, with different life experiences, different races, with different points of view. I will forever be grateful to you all for teaching me that every coin has two sides; and for teaching me that the strength of our state is based on its diversity.

Mr. President, to my Majority Office staff who is here: they have not only stood by my side but they help us define what we all do here in the Senate. Allison, Kara, Brandi, Erica, Bryan, Robert, Stephanie, Emma, Lauren, Mike and Michelle—the invaluable intellect, work ethic and advice you have provided us over the last two years, not only to me, but to the entire Senate has been remarkable, undeniable and priceless. The people of this State owe you a deep debt of gratitude. The work we have done here in the Senate, represents the collaborative effort of all of these talented ladies and, yes, a few good men.

Mr. President, to you sir: you have been a courageous and steady leader. While others would have coasted and rested on their laurels in their last year, sir, you chose a different and more difficult path. You chose to tackle difficult issues and never, never took no for an answer. As a result, Floridians are better off, and I personally thank you for your faith and trust in me and for the unique opportunity you gave me to serve you and the people of Florida as your Majority Leader.

I have also been humbled by the opportunity to help mentor our next generation of leaders. Men and women like Mike Haridopolos, Andy Gardiner and Ronda Storms among others. As I leave this Senate, I leave it with the faith and the knowledge that the future of our Senate and our State is in good hands.

And to those I have not mentioned, but you know who you are—I know that through all these years your faith, loyalty, support and love has made me stronger. Thank you and know that I will never forget you and that I will forever be grateful. But at the end of the day Senators, we truly come full circle.

To my mom and dad again, brothers and sister, nieces and nephews, friends, and colleagues who are now part of our extended family, this Senate family: whatever I have accomplished I have done it because of you, too many times, in spite of myself.

Of the many things that I have learned over all these years, the most important thing I have come to know, is that honors and titles, positions and accolades may feel good and may look nice on a resume, but at the end of the day, the only thing that matters is what we do here and what we leave behind for future generations.

So I will finish where it really all began. To my mom and dad, I am sorry that you could not be here today, but I know you are watching. It is humbling and frankly, it is somewhat embarrassing many times when you tell me how proud you are of me. If I seem a little bit taller today, and if you are a little more proud of me, and feel honored that your son is a Florida Senator, please know that I am only here, and whatever small things, if any, that I have accomplished, is because I am standing on your shoulders. There are no words to describe my love for you.

Senators, I have been blessed and honored for all these years, far more that anyone can imagine. Thank you for allowing me to be part of THIS Senate family. Mr President, with that I move we Sine Die.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lawson, by two-thirds vote **CS for SB 942** was placed on the Special Order Calendar; **CS for HB 1209** was withdrawn from the Committee on Rules; and by two-thirds vote placed on the Local Bill Calendar.

SPECIAL ORDER CALENDAR, continued

On motion by Senator Smith, by two-thirds vote **CS for HB 467** was withdrawn from the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

On motion by Senator Smith, by two-thirds vote—

CS for HB 467—A bill to be entitled An act relating to public K-12 education; amending s. 1003.42, F.S.; providing that comprehensive health education taught in the public schools shall include a component on teen dating violence and abuse for students in grades 7 through 12; creating s. 1006.148, F.S.; requiring district school boards to adopt and implement a dating violence and abuse policy; providing policy requirements; requiring the Department of Education to develop a model policy; requiring school personnel training; providing an effective date.

—a companion measure, was substituted for **CS for SB 642** and by two-thirds vote read the second time by title.

On motion by Senator Smith, by two-thirds vote **CS for HB 467** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Rich
Alexander	Gaetz	Richter
Altman	Gardiner	Ring
Aronberg	Gelber	Siplin
Baker	Hill	Smith
Bennett	Jones	Sobel
Constantine	Joyner	Storms
Crist	Justice	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Oelrich	
Dockery	Peaden	

Nays—4

Garcia	Haridopolos	Negron
Wise		

Vote after roll call:

Yea—Bullard

BILLS ON THIRD READING

The Senate resumed consideration of—

CS for CS for HB 945—A bill to be entitled An act relating to automated external defibrillators in assisted living facilities; amending s. 429.255, F.S.; requiring certain assisted living facilities to possess a functioning automated external defibrillator; encouraging an assisted living facility to register the location of the automated external defibrillator with a local emergency medical services medical director; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Department of Elderly Affairs to adopt rules relating to the use of automated external defibrillators; providing appropriations; providing effective dates.

—which was previously considered this day with pending point of order by Senator Alexander.

POINT OF ORDER DISPOSITION

The pending point of order was withdrawn.

On motion by Senator Fasano, **CS for CS for HB 945** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Peaden
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Negron	Wise
Dockery	Oelrich	

Nays—None

SPECIAL ORDER CALENDAR, continued

On motion by Senator Aronberg, by two-thirds vote **HB 1301** was withdrawn from the Committees on Community Affairs; Ethics and Elections; and Criminal Justice.

On motion by Senator Aronberg, by two-thirds vote—

HB 1301—A bill to be entitled An act relating to violations of county ordinances; amending s. 125.69, F.S.; authorizing a county to specify by ordinance penalties for a violation of certain county ordinances; providing an effective date.

—a companion measure, was substituted for **SB 1980** and by two-thirds vote read the second time by title.

On motion by Senator Aronberg, by two-thirds vote **HB 1301** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Bennett

On motion by Senator Gelber, by two-thirds vote **HB 1401** was withdrawn from the Committees on Commerce; Governmental Oversight and Accountability; and General Government Appropriations.

On motion by Senator Gelber, by two-thirds vote—

HB 1401—A bill to be entitled An act relating to the export of goods, commodities, and things of value to foreign countries; defining the term "state agency;" prohibiting state agencies from issuing certain forms of documentation for any good, commodity, or thing of value to be exported to certain foreign countries; providing an effective date.

—a companion measure, was substituted for **SB 2576** and by two-thirds vote read the second time by title.

On motion by Senator Gelber, by two-thirds vote **HB 1401** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

On motion by Senator Sobel, by two-thirds vote **CS for HB 729** was withdrawn from the Committees on Health Regulation; Criminal Justice; Governmental Oversight and Accountability; Finance and Tax; and Health and Human Services Appropriations.

On motion by Senator Sobel, by two-thirds vote—

CS for HB 729—A bill to be entitled An act relating to the practice of tattooing; creating s. 381.00771, F.S.; defining terms; creating s. 381.00773, F.S.; exempting certain personnel who perform tattooing for medical or dental purposes from regulation under specified provisions; creating s. 381.00775, F.S.; prohibiting the practice of tattooing except by a person licensed or registered by the Department of Health; requiring tattoo artists to complete a department-approved education course and pass an examination; providing for the licensure of tattoo artists and the registration of guest tattoo artists licensed in jurisdictions outside this state; creating s. 381.00777, F.S.; requiring the licensure of permanent tattoo establishments and temporary establishments; creating s. 381.00779, F.S.; providing practice requirements for tattoo artists, guest tattoo artists, tattoo establishments, and temporary establishments; requiring the department to inspect the establishments at specified intervals; creating s. 381.00781, F.S.; providing for fees for initial licensure or registration and the renewal or reactivation thereof; authorizing the adjustment of fees according to inflation or deflation; creating s. 381.00783, F.S.; specifying acts that constitute grounds for which the department may take disciplinary action; providing penalties; creating s. 381.00785, F.S.; providing penalties for certain violations involving the practice of tattooing; transferring, renumbering, and amending s. 877.04, F.S.; prohibiting the tattooing of a minor child except under certain circumstances; providing penalties; providing exceptions; creating s. 381.00789, F.S.; requiring the department to adopt rules to administer the act; creating s. 381.00791, F.S.; providing that specified provisions do not preempt certain local laws and ordinances; providing an effective date.

—a companion measure, was substituted for **CS for SB 942** and by two-thirds vote read the second time by title.

On motion by Senator Sobel, by two-thirds vote **CS for HB 729** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Alexander	Altman

Aronberg	Gaetz	Rich
Bennett	Garcia	Richter
Constantine	Gardiner	Ring
Crist	Hill	Siplin
Dean	Jones	Smith
Detert	Joyner	Sobel
Diaz de la Portilla	Lawson	Storms
Dockery	Lynn	Villalobos
Fasano	Peaden	Wilson

Nays—4

Baker	Negron	Oelrich
Thrasher		

Vote after roll call:

Yea—Wise

Nay—Bullard

BILLS ON THIRD READING

The Senate resumed consideration of—

CS for HB 7179—A bill to be entitled An act relating to qualifying improvements to real property; creating s. 163.08, F.S.; providing legislative purposes and findings and intent; providing definitions; authorizing a local government to levy non-ad valorem assessments to fund certain improvements; authorizing a property owner to apply for funding and enter into a financing agreement with a local government to finance certain improvements; authorizing a local government to collect moneys for such purposes through non-ad valorem assessments; providing collection requirements; authorizing local governments to partner with other local governments to provide and finance certain improvements; authorizing a qualifying improvement program to be administered by a for-profit entity or not-for-profit organization under certain circumstances; authorizing a local government to incur debt payable from revenues received from the improved property; providing a financing restriction for local governments; requiring a financial agreement to be recorded in a county's public records within 5 days after execution of the agreement; specifying responsibilities for local governments before entering into financing agreements; requiring qualifying improvements to be affixed to a building or facility on the property and be performed by a properly certified or registered contractor; excluding certain projects from financing agreement coverage; limiting the amount of the non-ad valorem assessment to a percentage of the just value of the property; providing exceptions; specifying information provision requirements for property owners before entering into financing agreements; prohibiting acceleration of a mortgage under certain circumstances; providing assessment disclosure requirements; specifying unenforceability of certain agreement provisions; providing construction preserving a local government's home rule authority; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 5 (629190)** by Senator Bennett was withdrawn.

On motion by Senator Bennett, **CS for HB 7179** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gardiner	Peaden
Alexander	Gelber	Rich
Altman	Haridopolos	Richter
Aronberg	Hill	Ring
Baker	Jones	Siplin
Bennett	Joyner	Smith
Constantine	Justice	Sobel
Crist	Lawson	Wilson
Dean	Lynn	Wise
Detert	Negron	
Dockery	Oelrich	

Nays—4

Fasano	Garcia	Storms
Villalobos		

Vote after roll call:

Yea—Bullard

Yea to Nay—Justice

LOCAL BILL CALENDAR

CS for HB 1209—A bill to be entitled An act relating to the City of Fort Lauderdale, Broward County; extending and enlarging the corporate limits of the City of Fort Lauderdale to include specified unincorporated lands within such corporate limits; providing for an effective date of annexation; providing for an interlocal agreement, land use and zoning governance, and residency qualification for candidacies for municipal office; providing applicability to existing contracts; providing for transfer of public roads and rights-of-way; providing an effective date.

—was read the second time by title. On motion by Senator Smith, by two-thirds vote **CS for HB 1209** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Jeff Atwater
President, The Florida Senate

April 30, 2010

Dear Mr. President:

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 conducted an inquiry concerning the qualifications, experience, background, and statutory suitability of the appointees for the office to which they were appointed. The Senate Committee on Ethics and Elections did not hold public hearings for the following appointments and no recommendation was made:

Office and Appointment		*For Term Ending*
Board of Chiropractic Medicine		
Appointee:	Reynolds, Linda W.	10/31/2013
Board of Cosmetology		
Appointee:	Lackey, Crystal L.	10/31/2012
Environmental Regulation Commission		
Appointee:	Walton, Sarah St. John	07/01/2013
Council on Efficient Government		
Appointee:	Agrawal, Akhil K.	08/22/2011

Office and Appointment		*For Term Ending*
Board of Landscape Architecture		
Appointee:	Ribes, John P.	10/31/2012
Board of Opticianry		
Appointee:	Arcand, Amy M.	10/31/2011
Board of Optometry		
Appointee:	Maule, Tamara L.	10/31/2013
Board of Pilot Commissioners		
Appointee:	de la Parte, L. David	10/31/2011
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		
Appointee:	Hanas, Richard L.	09/30/2013
North Central Florida Regional Planning Council, Region 3		
Appointees:	Aderibigbe, Adeniyi	10/01/2010
	Eubank, F. Wesley	10/01/2012
East Central Florida Regional Planning Council, Region 6		
Appointee:	Dixon, Christina A.	10/01/2011
Board of Veterinary Medicine		
Appointee:	Figarola, Raul	10/31/2013
Governing Board of the St. Johns River Water Management District		
Appointee:	Wood, W. Leonard	03/01/2014
Governing Board of the Southwest Florida Water Management District		
Appointee:	Adams, Jeffrey M.	03/01/2014

The following executive appointment was referred to the Senate Committee on Criminal Justice 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 Criminal Justice considered and recommended the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointment:

Office and Appointment		*For Term Ending*
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		
Appointee:	Jimenez, Tomas A.	09/30/2013

The following executive appointment was referred to the Senate Committee on Health Regulation 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 Health Regulation recommended that the Senate not confirm the appointment. The Senate Committee on Ethics and Elections did not consider the following appointment:

Office and Appointment		*For Term Ending*
Secretary of Health Care Administration		
Appointee:	Arnold, Thomas W.	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Higher 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 Higher Education considered and recommended the executive appointments. The Senate Committee on Ethics and Elections did not consider the following appointments:

Office and Appointment		*For Term Ending*
Board of Trustees, Florida International University		
Appointees:	Adler, Michael M.	01/06/2015
	Agrawal, Sukrit	01/06/2015
	Claure, R. Marcelo	01/06/2015
Board of Trustees, New College of Florida		
Appointee:	Monda, Keith D.	01/06/2015
Board of Trustees, University of North Florida		
Appointee:	Abdullah, Edythe M.	01/06/2015

The following executive appointment was referred to the Senate Committee on Transportation 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 Transportation considered and recommended the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointment:

Office and Appointment		*For Term Ending*
Florida Transportation Commission		
Appointee:	Howse, Ronald S.	09/30/2013

As required by Rule 12.7(1), the Senate commitees, where noted above, held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence presented at these public hearings, the referenced committees respectfully advise and recommend, except as noted above, pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes, that the executive appointments be confirmed by the Senate to the office and for the term indicated.

The Senate Committee on Ethics and Elections respectfully presents the balance of these appointments, without recommendation, for consideration by the full Senate. There is no necessity known to the committee for the deliberations on any of these appointments to be held in executive session.

Respectfully submitted,
JD Alexander, Chair

Senator Alexander called for a division of the question to remove the appointment of Edythe M. Abdullah as a member of the Board of Trustees, University of North Florida, from the report and that all other appointments contained therein be confirmed. The motion was adopted and the Senate confirmed the appointments identified in the report of the committee to the offices and for the terms indicated.

The vote was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise

Nays—None

VOTES RECORDED

Senators Jones, Bennett and Sobel were recorded as voting "nay" on the appointment of Thomas W. Arnold as Secretary of Health Care Administration.

On motion by Senator Wise, consideration of the appointment of Edythe M. Abdullah to the Board of Trustees, University of North Florida for a term ending January 6, 2015, was deferred.

BILLS ON THIRD READING

CS for SB 1126—A bill to be entitled An act relating to permitting; amending ss. 220.1845 and 376.30781, F.S.; providing requirements for claiming certain site rehabilitation costs in applications for contaminated site rehabilitation tax credits; conforming cross-references; amending s. 376.85, F.S.; revising requirements for the Department of Environmental Protection's annual report regarding site rehabilitation; amending s. 403.973, F.S.; clarifying duties of the Office of Tourism, Trade, and Economic Development to approve expedited permitting and comprehensive plan amendments; providing additional authority to the Secretary of Environmental Protection; revising criteria for businesses submitting permit applications or local comprehensive plan amendments; providing that permit applications and local comprehensive plan amendments for specified biofuel and renewable energy projects are eligible for the expedited permitting process; providing for the establishment of regional permit action teams through the execution of memoranda of agreement developed by permit applicants and the secretary; providing for the appeal of a local government's approval of an expedited permit or comprehensive plan amendment; requiring such appeals to be consolidated with challenges to state agency actions; specifying the form of the memoranda of agreement developed by the secretary; revising the deadline by which certain final orders must be issued; specifying additional requirements for recommended orders; providing for challenges to state agency action related to expedited permitting for specified renewable energy projects; revising provisions relating to the review of sites proposed for the location of facilities eligible for the Innovation Incentive Program; providing that electrical power projects using renewable fuels are eligible for expedited review; providing legislative findings; requiring that the Department of Community Affairs and the Office of Tourism, Trade, and Economic Development, in consultation with the Florida Energy and Climate Commission, submit recommendations to the Governor and Legislature relating to the Energy Economic Zone Pilot Program; requiring coordination with the pilot communities and clean technology industries in developing certain recommendations; providing an effective date.

—as amended April 26 was read the third time by title.

An amendment was considered and adopted to conform **CS for SB 1126** to **CS for HB 7129**.

Pending further consideration of **CS for SB 1126** as amended, on motion by Senator Altman, by two-thirds vote **CS for HB 7129** was withdrawn from the Committees on Environmental Preservation and Conservation; Community Affairs; and Commerce; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Altman, by two-thirds vote—

CS for HB 7129—A bill to be entitled An act relating to military support; amending s. 163.3175, F.S.; providing applicability of provisions governing compatibility of land development with military installations under the Local Government Comprehensive Planning and Land Development Regulation Act to specified local governments and associated military installations; authorizing the Florida Council on Military Base and Mission Support to recommend changes to such military installations and local governments based on a base's potential for impacts from encroachment and incompatible land uses and development; requiring affected local governments to transmit to the commanding officer of a military installation information relating to certain proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations; requiring local governments to transmit, at the request of a commanding officer, copies of applications for development orders requesting specified variances or waivers within a zone of influence of a military installation; requiring a local government, military installation, the state land planning agency, and other parties to enter into mediation if a local government does not adopt criteria and address compatibility issues relating to lands adjacent to or closely proximate to existing military installations in its future land use plan element of a comprehensive plan by a specified date; authorizing notification of the Administration Commission if the local government comprehensive plan does not contain criteria addressing compatibility by a specified date; authorizing the imposition of sanctions by the Administration Commission; eliminating definitions; amending s. 163.3177, F.S.; specifying factors to be considered with respect to criteria used to achieve compatibility of lands adjacent to military installations in a future land use plan element of a comprehensive plan; amending s. 196.061, F.S.; providing that valid military orders transferring a military servicemember are sufficient to maintain permanent residence status of the servicemember and his or her spouse for purposes of such determination by a property appraiser; amending s. 455.02, F.S.; authorizing temporary professional licensure by the Department of Business and Professional Regulation of the spouses of certain active duty members of the Armed Forces; providing application requirements; requiring criminal history checks and fees; amending s. 250.10, F.S.; authorizing the Adjutant General to employ a second Assistant Adjutant General for Army; revising accreditation standards for educational institutions with respect to the Educational Dollars for Duty education assistance program; providing an effective date.

—a companion measure, was substituted for **CS for SB 1126** as amended and by two-thirds vote read the second time by title.

On motion by Senator Altman, by two-thirds vote **CS for HB 7129** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Baker	Haridopolos	Siplin
Bennett	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Thrasher
Detert	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Negron	Wise
Fasano	Oelrich	
Gaetz	Peaden	

Nays—None

DISCLOSURE

I am president of Alico Inc., which applied for a permit to undertake a mining operation in Florida. **CS for SB 1126** amends the process for expedited review of challenges to local government comprehensive plan changes. These amendments potentially affect Alico's application. Therefore, I believe that, in an abundance of caution, I should disclose the above facts pursuant to Senate Rule 1.39.

Senator JD Alexander, 17th District

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment 1 to CS for CS for CS for HB 665 and requests the Senate to recede.

Robert L. "Bob" Ward, Clerk

CS for CS for CS for HB 665—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of

real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs;" conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

On motion by Senator Bennett, the Senate refused to recede from the Senate amendment to **CS for CS for CS for HB 665** and insisted that the House concur. The action of the Senate was certified to the House.

The Honorable Jeff Atwater, 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.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 relating to Appropriations

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
s/ Dave Murzin
s/ H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
s/ Trudi K. Williams
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the House

Conference Committee Amendment (561933)(with title amendment)—Remove everything after the enacting clause and insert:

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2010, and ending June 30, 2011, 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 moneys contained herein are appropriated from the named funds for

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION

Fiscal Year 2010-2011 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 moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys 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 3, 4, 5, 57, 62, 64A through 70, and 139 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.

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 164,766,967

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.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

2 FIXED CAPITAL OUTLAY
DEBT SERVICE - CLASS SIZE REDUCTION
LOTTERY CAPITAL OUTLAY PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 154,721,252

Funds provided in Specific Appropriation 2 shall be transferred using nonoperating budget authority to the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds provided in Specific Appropriation 2 are for Fiscal Year 2010-2011 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 319,488,219

TOTAL ALL FUNDS 319,488,219

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

3 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 338,367,564

From the funds in Specific Appropriations 3 and 64A, and contingent upon House Bill 5201 becoming law and the receipt of Federal Medical Assistance Percentage (FMAP) funds, the award per credit hour or credit hour equivalent enrolled for the 2010-2011 academic year shall be as follows:

Four-Year Institutions
Academic Scholars Award..... $125
Medallion Scholars Award..... $94
Gold Seal Vocational Scholars Award..... $94

Two-Year Institutions
Academic Scholars Award..... $77
Medallion Scholars Award..... $77
Gold Seal Vocational Scholars Award..... $58

Upper-Division Programs Offered by Florida Colleges
Academic Scholars Award..... $86
Medallion Scholars Award..... $64
Gold Seal Vocational Scholars Award..... $64

The additional stipend for Top Scholars shall be $53 per credit hour.

In the event that House Bill 5201 does not become law or Florida does not receive additional funds based on the state's FMAP, the Department of Education shall prorate the award per credit hour pursuant to section 1009.53(4), Florida Statutes.

4 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT
PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 6,574,195

From the funds provided in Specific Appropriation 4, $1,650,000 shall be allocated to First Generation in College Matching Grant Programs at Florida colleges. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2010, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

5 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 28,500,696

The funds in Specific Appropriation 5 are provided for the Florida Student Assistance Grant (FSAG) public full-time and part-time program and are allocated in Specific Appropriation 68.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 373,442,455

TOTAL ALL FUNDS 373,442,455

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

6 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 9,036,490

Funds provided in Specific Appropriation 6 are allocated in Specific Appropriation 78.

7 AID TO LOCAL GOVERNMENTS

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 103,776,356

Funds in Specific Appropriations 7 and 79 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,325.66, for grades 4 to 8 shall be $904.24, and for grades 9 to 12 shall be $906.42. The class size reduction allocation shall be recalculated based on enrollment through the October 2010 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 79, funds shall be prorated to the level of the appropriation based on each district's calculated amount. 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 129,914,030

Funds in Specific Appropriation 8 are provided for the Florida School Recognition Program to be allocated as awards of up to $75 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, up to $5 per unweighted student shall be allocated to be used at the discretion of the school advisory council pursuant to sections 24.121 (5) and 1001.452, Florida Statutes. If funds are insufficient to provide $5 per student, the available funds shall be prorated.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 242,726,876

TOTAL ALL FUNDS 242,726,876

PROGRAM: WORKFORCE EDUCATION

9 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 7,327,300

Funds in Specific Appropriation 9 are provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and are allocated in Specific Appropriation 109.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

10 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 126,959,158

Funds provided in Specific Appropriation 10 shall be allocated as follows:

Brevard Community College	4,733,158
Broward College	8,977,892
College of Central Florida	2,504,180
Chipola College	1,150,619
Daytona State College	6,072,583
Edison State College	3,117,833
Florida State College at Jacksonville	9,356,746
Florida Keys Community College	726,219
Gulf Coast Community College	2,231,736
Hillsborough Community College	6,207,508

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION

Indian River State College	5,500,013
Florida Gateway College	1,546,221
Lake Sumter Community College	1,357,131
State College of Florida, Manatee-Sarasota	2,729,528
Miami Dade College	20,606,124
North Florida Community College	781,271
Northwest Florida State College	2,217,113
Palm Beach State College	6,461,218
Pasco-Hernando Community College	2,486,959
Pensacola Junior College	4,177,857
Polk State College	2,365,551
St. Johns River Community College	2,086,702
St. Petersburg College	7,279,093
Santa Fe College	4,317,934
Seminole State College of Florida	4,487,352
South Florida Community College	1,927,024
Tallahassee Community College	3,717,458
Valencia Community College	7,836,135

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

11 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL
ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 203,274,204

Funds in Specific Appropriation 11 shall be allocated as follows:

University of Florida	37,111,742
Florida State University	31,179,405
Florida A&M University	11,720,688
University of South Florida	28,519,975
University of South Florida, St. Petersburg	1,246,408
University of South Florida, Sarasota/Manatee	1,052,503
University of South Florida, Polytechnic	439,620
Florida Atlantic University	16,411,301
University of West Florida	6,419,530
University of Central Florida	28,365,482
Florida International University	24,187,023
University of North Florida	10,102,963
Florida Gulf Coast University	5,657,839
New College of Florida	859,725

Each university board of trustees may allocate the institution's Educational Enhancement Trust Funds across the Education and General Activities category and other program categories. Each board of trustees shall provide to the Board of Governors the allocation by grants and aids category prior to October 1, 2010.

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD
AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 12,533,877

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH
FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 8,461,475

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA
HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,796,416

SECTION 1 - EDUCATION ENHANCEMENT
SPECIFIC
APPROPRIATION
15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY
MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 605,115

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 230,671,087

TOTAL ALL FUNDS 230,671,087

TOTAL OF SECTION 1

FROM TRUST FUNDS 1,300,615,095

TOTAL ALL FUNDS 1,300,615,095

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys 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

Funding provided in Specific Appropriations 27 through 149 from State Fiscal Stabilization Funds authorized in the American Recovery and Reinvestment Act of 2009 is contingent upon the approval of the state's application and request for any necessary waivers of maintenance of effort requirements by the United States Department of Education. The Department of Education, or Board of Governors as appropriate, shall provide guidance to school districts and institutions of higher education regarding the inclusion or exclusion of State Fiscal Stabilization Funds with general fund revenues for the purpose of required state and federal reporting.

If it is determined that any entity designated to receive an appropriation from State Fiscal Stabilization Funds is ineligible to receive such funds, or if an entity's allocation is not fully utilized in accordance with the American Recovery and Reinvestment Act of 2009, the Executive Office of the Governor may adjust allocations from state funds and State Fiscal Stabilization Funds among eligible recipients, based upon the recommendation of the Department of Education or Board of Governors as appropriate, in a manner that ensures the combined total of state funds and State Fiscal Stabilization Funds remains consistent with the intent of the General Appropriations Act. Any such adjustments shall be subject to the notice and objection requirements of section 216.17, Florida Statutes.

The receipt of funds provided in Specific Appropriations 27 through 149 from federal stimulus grants authorized in the American Recovery and Reinvestment Act of 2009 by an eligible recipient is contingent upon the recipient's agreement to fully comply with the application and reporting requirements established by the Department of Education or the Board of Governors, as applicable.

From funds provided in Specific Appropriations 112 and 132, the Florida Center for Library Automation and the College Center for Library Automation shall each develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, the chair of the House Full Appropriations Council on Education and Economic Development, the Chancellor of the Board of Governors, and the State Board of Education, for the relocation and consolidation of their computing services and associated resources to the Northwest Regional Data Center (NWRDC) pursuant to section 282.201(2)(d)1.e., Florida Statutes. The plan shall be developed with a target transition date of December 31, 2011.

The centers shall work with the Agency for Enterprise Information Technology (AEIT) and the NWRDC in developing their plans, in accordance with the requirements of the AEIT, that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of application development resources proposed to remain in the centers; the budget, full-time personnel, and

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
contracted services associated with the cost of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

17 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIR, RENOVATION, AND
REMODELING
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 254,269,869

Funds in Specific Appropriation 17 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Public Schools..... 122,111,974
Florida College System..... 26,703,775
State University System..... 49,341,654
Charter Schools..... 56,112,466

Funds in Specific Appropriation 17 for charter schools shall be distributed pursuant to section 1013.62, Florida Statutes.

18 FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 4,717,433

From the funds in Specific Appropriation 18, up to $4,717,433 shall be distributed to university developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be transferred from Specific Appropriation 18 to Specific Appropriation 17 by the Executive Office of the Governor and the funds shall be allocated to school districts and university developmental research schools in accordance with section 1013.64(1), Florida Statutes.

19 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM GENERAL REVENUE FUND 6,400,000
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 254,799,752

Funds in Specific Appropriation 19 shall be allocated as follows:

BREVARD COMMUNITY COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 3,498,601
Public Safety Institute (p)..... 1,500,000
BROWARD COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 3,404,031
Rem/ren Institute of Public Safety-Building 22 part..... 6,900,000
COLLEGE OF CENTRAL FLORIDA
Gen ren/rem, Infrastructure and Site Improvements..... 1,348,039
Construct Levy Co. Center Ph I (pce)..... 13,000,000
CHIPOLA COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 785,069
Replace WF Dev Bldg-Life Safe & Struc, Chiller-Main (pce).. 1,574,217
DAYTONA STATE COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 1,869,739
Remodel/Addition - News Journal Center Building part..... 5,000,000
EDISON STATE COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 1,544,600
Allied Health Sci & Clsrm Bldg w/mat-Collier (pce)..... 9,653,987
FLORIDA STATE COLLEGE AT JACKSONVILLE
Gen ren/rem, Infrastructure and Site Improvements..... 3,843,545
Land Acquisition-Kent Campus (sp)..... 500,000
Commercial Vehicle Driving Center, Cecil Center (pc)..... 2,500,000
FLORIDA KEYS COMMUNITY COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 341,153
Marine Propulsion Bldg-Main (c,e)..... 4,601,620
GULF COAST COMMUNITY COLLEGE
Gen ren/rem, Infrastructure and Site Improvements..... 837,296
Corporate & Tech Training Ctr w/match-Main (ce)..... 4,000,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

HILLSBOROUGH COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,709,644
INDIAN RIVER STATE COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,538,578
FLORIDA GATEWAY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	756,410
LAKE SUMTER COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	580,293
STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA	
Gen ren/rem, Infrastructure and Site Improvements	1,546,092
MIAMI DADE COLLEGE	
Ren ren/rem, Infrastructure and Site Improvements	8,738,743
Clsrm,Lab,Student Union,Supp Svcs Fac-Wolfson (ce)	16,700,000
Site/Property Acquisition-Collegewide (sp)	100,000
Rem/ren/add Clsrms/Labs/Supp Svcs Fac 2-Hialeah Complete	21,200,000
NORTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	359,319
NORTHWEST FLORIDA STATE COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,038,935
PALM BEACH STATE COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	2,193,922
Public Safety Training Center, LW Ph I (pce)	17,693,473
Site Acq & Construct Ph I-West Central (spce)	19,750,000
PASCO-HERNANDO COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	575,970
Clsrms/Labs/Sup Svcs - Wesley Chapel Center (c)	33,368,261
PENSACOLA JUNIOR COLLEGE	
Gen ren/rem, Const Clsrms-Main, Infrastruct & Site Imp	2,496,384
POLK STATE COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,194,528
Rem/ren Learning Resource Center-Main comp	10,211,371
Institute for Public Safety (pc)	2,000,000
ST. JOHNS RIVER COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	912,955
ST. PETERSBURG COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	3,204,180
Site Acquisition-Vet Tech (sp)	175,000
Rem/ren Soc Sci Bldg,Nat Sci w/addn & Bus Tech-CL (pc)	2,771,111
SANTA FE COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,660,305
SEMINOLE STATE COLLEGE OF FLORIDA	
Gen ren/rem, Infrastructure and Site Improvements	1,118,211
Site/Facilities Acquisition-Alt Springs (sp)	10,250,000
SOUTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	736,769
TALLAHASSEE COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	1,380,050
Allied Health Education Ctr w/match - Main (ce)	4,355,460
VALENCIA COMMUNITY COLLEGE	
Gen ren/rem, Infrastructure and Site Improvements	2,465,292
Library & High Tech Bldg 4 - Osceola (spc)	21,716,599

20 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 339,418,539

Funds in Specific Appropriation 20 shall be allocated as follows:

UNIVERSITY OF FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	12,086,416
Research & Academic Center at Lake Nona (P,C)	20,000,000
FLORIDA STATE UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	5,550,848
College of Law Remodeling & Expansion (P,C,E)	12,900,000
Applied Sciences Building (P,C)	11,000,000
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	7,000,000
Pharmacy Phase II (P,C)	23,000,000
UNIVERSITY OF SOUTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	5,000,000
Sarasota/Manatee Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	375,000
USF St. Pete. Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	400,000
Interdisciplinary Science Teaching & Research Facility (C,E)	7,910,018
USF Polytechnic New Campus Phase I (C,E)	35,000,000
Pharmacy/Health Building (P,C)	10,000,000
Interdisciplinary Center/Excellence/Wellness Research (P)	1,000,000
FLORIDA ATLANTIC UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	7,778,832
FAU/UF Joint Use Facility - Davie (E)	1,130,628
General Classroom/Engineering Building (E)	1,818,012
General Classroom Facility-Phase I (E)	720,995
FAU/SCRIPPS Joint Use Facility Expansion - Jupiter (P,C,E)	2,000,000
Florida Atlantic Blvd. 4 Lane - Lee St. to R&D Park (P,C,E)	9,195,000
UNIVERSITY OF WEST FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	4,000,000
College of Business Education Ctr. Ph II of III (P,C,E)	11,818,837
UNIVERSITY OF CENTRAL FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	7,844,870
Physical Sciences Building Phase II (C,E)	1,714,500
Partnership III Building (C,E)	1,879,105
Classroom Building II (P,C,E)	16,234,156
Math/Physics Bldg Remodeling/Renovation (P,C,E)	7,755,790
Interdisciplinary Research and Incubator Facility (P)	5,924,183
Engineering Building I Renovation (P,C)	7,241,445
FLORIDA INTERNATIONAL UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	6,221,914
Public Safety Building Supplement - UP (P,C,E)	1,272,772
Social Sciences - Phase I Completion - UP (P,C,E)	4,150,000
Science/Classroom Complex - UP (C,E)	3,982,942
Satellite Chiller Plant Expansion (P,C,E)	7,000,000
Stocker Astrophysics Center, MAM BT-814 (P,C,E)	1,600,000
Student Academic Support Building (C,E)	17,646,976
UNIVERSITY OF NORTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	4,630,508
Science & Humanities Building Ph. II (C,E)	10,914,565
Disability Resource Center (P,C,E)	5,000,000
FLORIDA GULF COAST UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	3,000,000
Classrooms/Offices/Labs Academic 8 (C,E)	12,500,000
Innovation Hub (IHUB) (P,C,E)	5,000,000
NEW COLLEGE	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	3,305,609
Caples Fine Arts Mechanical Renovation (P,C,E)	7,097,970
STATE UNIVERSITY SYSTEM	
Joint Use Library Storage Facility at UF (P,C)	2,017,512
FAMU/FSU College of Engineering III - Joint Use (P,C,E)	4,199,136
PK Yonge - Developmental Research School (P,C)	1,600,000

21 FIXED CAPITAL OUTLAY
SPECIAL FACILITY CONSTRUCTION ACCOUNT
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 12,274,731

Funds in Specific Appropriation 21 shall be allocated in accordance with section 1013.64(2), Florida Statutes, for the second and final year of construction of a new high school in Calhoun County as specified in the Department of Education's Fiscal Year 2010-2011 Legislative Budget Request.

22 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE
TRUST FUND 27,937,500
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE TRUST FUND 990,150,000
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND 107,635,201

Funds in Specific Appropriation 22 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2010-2011 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the State Constitution, and any other continuing payments

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necessary or incidental to the repayment of the bonds. 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 appropriated for this program in Specific Appropriation 22 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

23 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 28,000,000

24 FIXED CAPITAL OUTLAY
FLORIDA SCHOOL FOR THE DEAF AND BLIND - CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 5,032,566

Funds in Specific Appropriation 24 shall be allocated as specified below and are based on the Florida School for the Deaf and the Blind revised Legislative Budget Request as approved by the Board of Trustees on August 21, 2009. The projects and purposes for the funds are specified in the currently approved Florida School for the Deaf and the Blind Master Facilities Plan and the Five-Year Educational Plant Survey.

Major Renovations and New Construction	1,500,000
Building Maintenance	3,200,000
Campus-Wide Site Infrastructure	328,566
Facilities Master Plan Update	4,000

25 FIXED CAPITAL OUTLAY
DIVISION OF BLIND SERVICES - CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 1,192,490

Funds in Specific Appropriation 25 are the amounts specified in the Department of Education's Fiscal Year 2010-2011 Legislative Budget Request for the following projects at the Daytona Rehabilitation Center and the Braille and Talking Book Library:

Roof Replacement - Braille and Talking Book Library	810,000
Renovations to Correct ADA Code Violations - Library	312,000
Replace Potable Water System - Daytona Rehab Center	16,280
Renovate and/or Replace Sewer System - Daytona Rehab Center	54,210

26 FIXED CAPITAL OUTLAY
PUBLIC BROADCASTING PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 2,294,620

Funds in Specific Appropriation 26 are the amounts specified in the Department of Education's Fiscal Year 2010-2011 Legislative Budget Request for the following projects:

WSRE-TV/FM Removal of Hazardous Equipment	95,000
WEDU-TV/FM HVAC System Replacement	455,000
WPBT-TV/FM Roof Repairs	169,800
WFIT/PBS Melbourne Facility Relocation/Renovation	1,574,820

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 6,400,000
FROM TRUST FUNDS 2,027,722,701

TOTAL ALL FUNDS 2,034,122,701

VOCATIONAL REHABILITATION

Funds in Specific Appropriations 28, 29, 33, 35, and 38 from the Federal Rehabilitation Trust Fund include $18,052,786 from the American Recovery and Reinvestment Act of 2009.

APPROVED SALARY RATE 37,972,622

27 SALARIES AND BENEFITS POSITIONS 1,007.00
FROM GENERAL REVENUE FUND 9,475,541
FROM ADMINISTRATIVE TRUST FUND . . . 198,204
FROM FEDERAL REHABILITATION TRUST FUND 36,035,983
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 4,462,511

For funds in Specific Appropriations 27 through 39 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.

28 OTHER PERSONAL SERVICES
FROM FEDERAL REHABILITATION TRUST FUND 1,551,169
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 251,026

29 EXPENSES
FROM GENERAL REVENUE FUND 6,686
FROM FEDERAL REHABILITATION TRUST FUND 10,473,105
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 866,332

30 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS
FROM GENERAL REVENUE FUND 13,831,812

Funds provided in Specific Appropriation 30 shall be distributed to Florida colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2009-2010 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 in Specific Appropriation 30, provided that satisfactory progress was made during the 2009-2010 fiscal year, $12,797,300 is provided for school district programs and shall be allocated as follows:

Alachua	36,731
Baker	161,293
Bay	144,155
Bradford	52,335
Brevard	448,907
Broward	1,366,002
Charlotte	51,979
Citrus	112,227
Collier	38,702
Columbia	38,578
De Soto	240,134
Escambia	219,164
Flagler	794,464
Gadsden	403,315
Gulf	31,563
Hardee	44,706
Hernando	75,137
Hillsborough	425,306
Jackson	1,511,041

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Jefferson	57,101
Lake	26,571
Leon	853,202
Martin	305,957
Miami-Dade	1,668,132
Monroe	77,480
Orange	414,433
Osceola	32,700
Palm Beach	1,127,420
Pasco	13,913
Pinellas	554,956
Polk	242,551
St. Johns	101,176
Santa Rosa	36,697
Sarasota	649,171
Sumter	12,874
Suwannee	70,836
Taylor	70,033
Union	77,142
Wakulla	34,062
Washington	175,154

From the funds provided in Specific Appropriation 30, provided that satisfactory progress was made during the 2009-2010 fiscal year, $1,034,512 is provided for Florida college programs and shall be allocated as follows:

College of Central Florida	29,224
Daytona State College	249,063
Florida State College at Jacksonville	215,354
Indian River State College	114,042
Pensacola Junior College	31,564
St. Johns River Community College	37,875
Santa Fe College	62,076
Seminole State College of Florida	54,712
South Florida Community College	206,565
Tallahassee Community College	34,037

31 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA ENDOWMENT
FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 315,160

32 OPERATING CAPITAL OUTLAY
FROM FEDERAL REHABILITATION TRUST
FUND 480,986
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 49,601

33 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 444,415
FROM FEDERAL REHABILITATION TRUST
FUND 8,070,047
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 500,000

34 SPECIAL CATEGORIES
INDEPENDENT LIVING SERVICES
FROM GENERAL REVENUE FUND 1,232,004
FROM FEDERAL REHABILITATION TRUST
FUND 4,582,359

Funds provided in Specific Appropriation 34 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, $3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

35 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 26,018,630
FROM FEDERAL REHABILITATION TRUST

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FUND 97,607,338
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 1,513,708

36 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL REHABILITATION TRUST
FUND 322,903
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 28,730

37 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 74,883
FROM FEDERAL REHABILITATION TRUST
FUND 281,690
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 33,259

38 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 154,316
FROM FEDERAL REHABILITATION TRUST
FUND 585,100

39 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM FEDERAL REHABILITATION TRUST
FUND 331,524
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 5,314

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 51,553,447
FROM TRUST FUNDS 168,230,889

TOTAL POSITIONS 1,007.00
TOTAL ALL FUNDS 219,784,336

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 10,002,503

40 SALARIES AND BENEFITS POSITIONS 300.00
FROM GENERAL REVENUE FUND 4,051,035
FROM ADMINISTRATIVE TRUST FUND . . . 359,079
FROM FEDERAL REHABILITATION TRUST
FUND 9,156,453

41 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 145,801
FROM FEDERAL REHABILITATION TRUST
FUND 290,354
FROM GRANTS AND DONATIONS TRUST
FUND 10,047

42 EXPENSES
FROM GENERAL REVENUE FUND 422,055
FROM ADMINISTRATIVE TRUST FUND . . . 16,091
FROM FEDERAL REHABILITATION TRUST
FUND 2,632,588
FROM GRANTS AND DONATIONS TRUST
FUND 44,395

43 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION
FACILITIES
FROM GENERAL REVENUE FUND 847,347
FROM FEDERAL REHABILITATION TRUST
FUND 4,522,207

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44 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,294
FROM FEDERAL REHABILITATION TRUST FUND 235,198

45 FOOD PRODUCTS
FROM FEDERAL REHABILITATION TRUST FUND 200,000

46 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL REHABILITATION TRUST FUND 100,000

47 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND 8,522,011
FROM FEDERAL REHABILITATION TRUST FUND 21,394,267
FROM GRANTS AND DONATIONS TRUST FUND 252,746

Funds in Specific Appropriation 47 from the Federal Rehabilitation Trust Fund include $4,887,771 from the American Recovery and Reinvestment Act of 2009.

48 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 56,140
FROM FEDERAL REHABILITATION TRUST FUND 425,000

49 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 5,768
FROM FEDERAL REHABILITATION TRUST FUND 223,552

50 SPECIAL CATEGORIES
LIBRARY SERVICES
FROM GENERAL REVENUE FUND 89,735
FROM GRANTS AND DONATIONS TRUST FUND 100,000

51 SPECIAL CATEGORIES
VENDING STANDS - EQUIPMENT AND SUPPLIES
FROM FEDERAL REHABILITATION TRUST FUND 1,500,000
FROM GRANTS AND DONATIONS TRUST FUND 595,000

52 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,336
FROM ADMINISTRATIVE TRUST FUND . . . 3,364
FROM FEDERAL REHABILITATION TRUST FUND 110,000

53 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL REHABILITATION TRUST FUND 923,280

54 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM FEDERAL REHABILITATION TRUST FUND 5,838

55 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES

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FROM FEDERAL REHABILITATION TRUST FUND 167,669

TOTAL: BLIND SERVICES, DIVISION OF
FROM GENERAL REVENUE FUND 14,198,522
FROM TRUST FUNDS 43,267,128

TOTAL POSITIONS 300.00
TOTAL ALL FUNDS 57,465,650

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds in Specific Appropriations 56, 58 through 61, 63, and 64, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

Funds appropriated in Specific Appropriations 56 through 59 and 62 through 64 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary).

56 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY
FROM GENERAL REVENUE FUND 2,144,493
FROM FEDERAL GRANTS TRUST FUND . . . 633,000

57 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)
FROM GENERAL REVENUE FUND 2,658,355
FROM FEDERAL GRANTS TRUST FUND . . . 1,394,750

Funds in Specific Appropriation 57 are provided to support 4,289 students at $945 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 if the funds appropriated are insufficient to provide a full award to all eligible students.

58 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORICALLY BLACK PRIVATE COLLEGES
FROM GENERAL REVENUE FUND 6,423,213
FROM FEDERAL GRANTS TRUST FUND . . . 3,016,000

Funds in Specific Appropriation 58 from the General Revenue Fund shall be allocated as follows:

Bethune-Cookman University..... 2,396,335
Edward Waters College..... 1,862,629
Florida Memorial University..... 2,075,045
Library Resources..... 89,204

Funds in Specific Appropriation 58 from the Federal Grants Trust Fund shall be allocated as follows:

Bethune-Cookman University..... 1,125,191
Edward Waters College..... 874,592
Florida Memorial University..... 974,331
Library Resources..... 41,886

Funds provided in Specific Appropriation 58 shall not be expended on promotional materials or staff development. Each institution shall provide an exact accounting of expenditures to the Department of Education.

Funds in Specific Appropriation 58 for Library Resources shall be used for the purchase of books, electronic library resources, and other related library materials pursuant to section 1006.59, Florida Statutes. Funds shall be allocated equally to Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

59 SPECIAL CATEGORIES

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GRANTS AND AIDS - FIRST ACCREDITED MEDICAL
SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 4,660,188
FROM FEDERAL GRANTS TRUST FUND . . . 2,205,000

Funds in Specific Appropriation 59 from the General Revenue Fund shall be allocated as follows:

Cancer Research..... 970,797
PhD Program in Biomedical Science..... 557,152
College of Medicine..... 3,132,239

Funds in Specific Appropriation 59 from the Federal Grants Trust Fund shall be allocated as follows:

Cancer Research..... 459,339
PhD Program in Biomedical Science..... 263,621
College of Medicine..... 1,482,040

Funds provided in Specific Appropriation 59 for the University of Miami College of Medicine are to support a minimum of 500 Florida residents enrolled in the College of Medicine. The university shall submit enrollment information to the Department of Education prior to January 1, 2011.

60 SPECIAL CATEGORIES
GRANTS AND AIDS - ACADEMIC PROGRAM
CONTRACTS
FROM GENERAL REVENUE FUND 586,374

Funds in Specific Appropriation 60 from the General Revenue Fund shall be allocated as follows:

University of Miami - Rosenstiel Marine Science..... 107,922
University of Miami - BS and MFA in Motion Pictures..... 191,860
Florida Institute of Technology - BS Engineering and Science
Education..... 155,131
Barry University - BS Nursing and MSW Social Work..... 84,215
Nova/Southeastern University - MS Speech Pathology..... 47,246

Each institution shall submit enrollment information, by program, to the Department of Education prior to January 1, 2011.

61 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER
- UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 400,018

62 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 57,986,500
FROM FEDERAL GRANTS TRUST FUND . . . 25,870,000

Funds in Specific Appropriation 62 shall be used for tuition assistance for qualified Florida residents. Funds are provided to support 34,580 students at $2,425 per student. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students.

63 SPECIAL CATEGORIES
GRANTS AND AIDS - NOVA SOUTHEASTERN
UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 3,260,832
FROM FEDERAL GRANTS TRUST FUND . . . 1,675,000

From the funds provided in Specific Appropriation 63, $3,162,732 from the General Revenue Fund and $1,675,000 from the Federal Grants Trust Fund are provided to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, or Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2011. The amount of $98,100 from the General Revenue Fund is to support rural and unmet needs in these programs.

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64 SPECIAL CATEGORIES
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH
PROGRAMS
FROM GENERAL REVENUE FUND 740,422
FROM FEDERAL GRANTS TRUST FUND . . . 332,000

Funds in Specific Appropriation 64 shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2011.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 78,860,395
FROM TRUST FUNDS 35,125,750

TOTAL ALL FUNDS 113,986,145

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

Funds appropriated in Specific Appropriations 64A through 66 and 68 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary).

64A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 73,914,982

Funds provided in Specific Appropriation 64A are allocated in Specific Appropriation 3.

65 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 3,108,087
FROM FEDERAL GRANTS TRUST FUND . . . 912,500

66 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER
SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 1,199,124
FROM FEDERAL GRANTS TRUST FUND . . . 344,500

67 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 357,417
FROM STATE STUDENT FINANCIAL
ASSISTANCE TRUST FUND 226,442

68 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 87,628,054
FROM FEDERAL GRANTS TRUST FUND . . . 16,502,241
FROM STUDENT LOAN OPERATING TRUST
FUND 1,419,414

The funds in Specific Appropriations 5 and 68 are provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time. 100,350,612
Florida Student Assistance Grant - Private..... 16,166,037
Florida Student Assistance Grant - Postsecondary..... 11,268,807
Florida Student Assistance Grant - Career Education..... 2,192,251
Children/Spouses of Deceased/Disabled Veterans..... 2,442,776
Florida Work Experience..... 1,569,922
Rosewood Family Scholarships..... 60,000

From the funds provided in Specific Appropriations 5 and 68, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be $2,235.

Any institution that participates in the Florida Student Assistance

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Grant Program shall report to the Department of Education prior to February 1, 2011, the following loan information for each Stafford and PLUS loan: guarantor, lender, number, net amount (guaranteed amount minus canceled amount), and student identifier for the 2010-2011 fiscal year in the format specified by the Department of Education.

69	FINANCIAL ASSISTANCE PAYMENTS JOSE MARTI SCHOLARSHIP CHALLENGE GRANT FROM GENERAL REVENUE FUND	58,974	
	FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		37,236
70	FINANCIAL ASSISTANCE PAYMENTS TRANSFER TO THE FLORIDA EDUCATION FUND FROM GENERAL REVENUE FUND	2,007,694	
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE			
	FROM GENERAL REVENUE FUND	94,359,350	
	FROM TRUST FUNDS		93,357,315
	TOTAL ALL FUNDS		187,716,665
PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL			
71	SPECIAL CATEGORIES GRANT AND AIDS - COLLEGE ACCESS CHALLENGE GRANT PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		7,011,133
72	FINANCIAL ASSISTANCE PAYMENTS STUDENT FINANCIAL AID FROM FEDERAL GRANTS TRUST FUND . . .		2,563,089
73	FINANCIAL ASSISTANCE PAYMENTS TRANSFER DEFAULT FEES TO THE STUDENT LOAN GUARANTY RESERVE TRUST FUND FROM STUDENT LOAN OPERATING TRUST FUND		6,500,000
74	FINANCIAL ASSISTANCE PAYMENTS ROBERT C. BYRD HONORS SCHOLARSHIP FROM FEDERAL GRANTS TRUST FUND . . .		2,391,530
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL			
	FROM TRUST FUNDS		18,465,752
	TOTAL ALL FUNDS		18,465,752
EARLY LEARNING			
PREKINDERGARTEN EDUCATION			
75	SPECIAL CATEGORIES TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS TO AGENCY FOR WORKFORCE INNOVATION FROM GENERAL REVENUE FUND	331,610,249	
	FROM FEDERAL GRANTS TRUST FUND . . .		72,762,557

Funds in Specific Appropriation 75 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, for Fiscal Year 2010-2011, the base student allocation per full-time equivalent student for the school year program shall be $2,562 and the base student allocation for the summer program shall be $2,179. The allocation includes 4.5 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions related to the Voluntary Prekindergarten Education Program.

The Agency for Workforce Innovation is authorized to reallocate coalition funding for the Voluntary Prekindergarten Education Program between fund sources in such a manner that each coalition's total

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appropriation does not change.

The funds in Specific Appropriation 75 from the General Revenue Fund shall be allocated as follows:

Alachua	3,723,532
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson	4,143,016
Brevard	9,467,595
Broward	34,502,093
Charlotte, DeSoto, Highlands, Hardee	4,684,221
Clay, Nassau, Baker, Bradford	6,028,146
Columbia, Hamilton, Lafayette, Union, Suwannee	2,378,127
Dade, Monroe	47,593,421
Dixie, Gilchrist, Levy, Citrus, Sumter	3,432,080
Duval	19,568,980
Escambia	4,653,987
Hendry, Glades, Collier, Lee	18,287,528
Hillsborough	23,913,298
Lake	4,698,403
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor	6,095,652
Manatee	5,981,106
Marion	4,749,272
Martin, Okeechobee, Indian River	5,090,305
Okaloosa, Walton	4,310,917
Orange	23,165,436
Osceola	5,937,499
Palm Beach	25,426,241
Pasco, Hernando	9,947,183
Pinellas	12,096,323
Polk	8,050,614
Putnam, St. Johns	4,705,052
St. Lucie	5,615,699
Santa Rosa	1,927,353
Sarasota	4,421,525
Seminole	8,483,970
Volusia, Flagler	8,531,675

The funds in Specific Appropriation 75 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

Alachua	817,024
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson	909,068
Brevard	2,077,398
Broward	7,570,515
Charlotte, DeSoto, Highlands, Hardee	1,027,821
Clay, Nassau, Baker, Bradford	1,322,708
Columbia, Hamilton, Lafayette, Union, Suwannee	521,814
Dade, Monroe	10,443,039
Dixie, Gilchrist, Levy, Citrus, Sumter	753,073
Duval	4,293,863
Escambia	1,021,187
Hendry, Glades, Collier, Lee	4,012,684
Hillsborough	5,247,102
Lake	1,030,933
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor	1,337,522
Manatee	1,312,386
Marion	1,042,094
Martin, Okeechobee, Indian River	1,116,924
Okaloosa, Walton	945,909
Orange	5,083,004
Osceola	1,302,817
Palm Beach	5,579,075
Pasco, Hernando	2,182,630
Pinellas	2,654,199
Polk	1,766,481
Putnam, St. Johns	1,032,391
St. Lucie	1,232,207
Santa Rosa	422,903
Sarasota	970,180
Seminole	1,861,569
Volusia, Flagler	1,872,037

76 SPECIAL CATEGORIES

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GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY		
FROM GENERAL REVENUE FUND	384,000	
TOTAL: PREKINDERGARTEN EDUCATION		
FROM GENERAL REVENUE FUND	331,994,249	
FROM TRUST FUNDS		72,762,557
TOTAL ALL FUNDS		404,756,806

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2010-2011 fiscal year are incorporated by reference in House Bill 5003. The calculations are the basis for the appropriations made in the General Appropriations Act.

78	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM		
	FROM GENERAL REVENUE FUND	5,837,094,898	
	FROM FEDERAL GRANTS TRUST FUND . . .		872,664,689
	FROM PRINCIPAL STATE SCHOOL TRUST FUND		24,438,902

From the general revenue funds in Specific Appropriation 78, $506,869,007 is contingent upon transfers authorized in Section 129 becoming law and if any portion of the amount transferred in Section 129 does not become law, that portion shall be deducted from the general revenue in Specific Appropriation 78.

From the funds in Specific Appropriation 78 from the Federal Grants Trust Fund, $855,582,711 is State Fiscal Stabilization Funds (Education) and $17,081,978 is State Fiscal Stabilization Funds (Discretionary). Each amount shall be allocated in the Florida Education Finance Program based on each district's proportion of total base funding.

Funds provided in Specific Appropriations 6 and 78 shall be allocated using a base student allocation of $3,623.76 for the FEFP.

Funds provided in Specific Appropriations 6 and 78 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be $905.97.

From the funds provided in Specific Appropriations 6 and 78, juvenile justice education 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.

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 Appropriations 6 and 78, $35,754,378 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 20,000 and fewer FTE in the 2010-2011 fiscal year.

Total Required Local Effort for Fiscal Year 2010-2011 shall be $7,197,552,375. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1) and (3), Florida Statutes, by district school boards in Fiscal Year 2010-2011 shall be:

1. 0.748 mills

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If any school district levies the full 0.748 mill levy and it generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriations 6 and 78, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.748 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

If any school district chooses to levy an amount not less than 0.498 mills and less than 0.748 mills, a compression supplement shall be calculated on a levy of 0.498. If a 0.498 levy generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE for 0.498 mills, the school district shall receive from the funds provided in Specific Appropriations 6 and 78, a discretionary millage compression supplement that, when added to the funds generated by a 0.498 mill levy, would be equal to the state average as provided in section 1011.62(5), Florida Statutes.

2. In addition, if any school district levies for the 2010-2011 fiscal year, an additional 0.25 mills to meet critical operating needs pursuant to section 1011.71(3)(b), Florida Statutes, and the 0.25 mills generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, at the time of the third calculation of the FEFP, the school district shall receive from the funds provided in Specific Appropriations 6 and 78, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.25 mill levy, shall be equal to the state average as provided in section 1011.62 (5), Florida Statutes.

Funds provided in Specific Appropriations 6 and 78 are based upon program cost factors for Fiscal Year 2010-2011 as follows:

1. Basic Programs
   A. K-3 Basic.....1.089
   B. 4-8 Basic.....1.000
   C. 9-12 Basic.....1.031

2. Programs for Exceptional Students
   A. Support Level 4.....3.523
   B. Support Level 5.....4.935

3. English for Speakers of Other Languages 1.147

4. Programs for Grades 9-12 Career Education.....1.035

From the funds in Specific Appropriations 6 and 78, $980,571,070 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law 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 2010-2011 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2009-2010 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 Appropriations 6 and 78, 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.

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

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students.

From the funds in Specific Appropriations 6 and 78, $67,133,784 is provided for Safe Schools activities and shall be allocated as follows: $65,263 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. Each school district shall report to the Department of Education the amount of funds expended for each of the five activities.

From the funds in Specific Appropriations 6 and 78, $639,315,534 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 and math 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 2010-2011 shall not be recalculated during the school year.

From the funds in Specific Appropriations 6 and 78, $101,731,186 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of $87,017 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 Appropriations 6 and 78, $20,000,000 is provided for the Merit Award Program provided in section 1012.225, Florida Statutes.

From the funds provided in Specific Appropriations 6 and 78, $216,918,478 is provided for Instructional Materials including $11,957,335 for Library Media Materials and $3,268,338 for the purchase of science lab materials and supplies. The growth allocation per FTE shall be $298.03 for Fiscal Year 2010-2011. 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 funds provided in Specific Appropriations 6 and 78, $430,693,345 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 6 and 78, $33,220,437 is provided for the Teachers Lead Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

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.

Unless otherwise provided by law, no funds are provided in Specific Appropriations 6 and 78 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

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homebound or who receive a portion of their instruction on-line.

A minimum guaranteed level of funding shall be calculated to provide no greater than an 8 percent reduction per unweighted full-time equivalent student compared to the amount per unweighted full-time equivalent student funded in the 2009-2010 FEFP. The calculation of this minimum funding shall compare total state and local formula and categorical funds, actual discretionary local revenue, and federal stabilization funds for 2009-2010 with total state and local formula and categorical funds, maximum potential discretionary local revenue, and federal stabilization funds for 2010-2011. Funds for the School Recognition Program and the Merit Award Program shall not be included in the calculation of the Minimum Guarantee. If at any time during the 2010-2011 fiscal year, the appropriation is reduced, the Minimum Guarantee shall not hold a district or other entity harmless from the impact of the reduction.

From the funds in Specific Appropriations 6 and 78, school districts may execute an appropriate contract for full-time virtual instruction through K-8 virtual schools that received funds from Specific Appropriation 93 of chapter 2008-152, Laws of Florida. School districts may expend funds in the amount of $4,704 per student for each student who was enrolled and served during the 2009-2010 fiscal year and who is re-enrolled and eligible to be served during the 2010-2011 fiscal year. Each of the K-8 virtual schools shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2009-2010 fiscal year and who is re-enrolled and is eligible to be served during the 2010-2011 fiscal year. The Department shall verify the eligibility of the students, assist with placement of each student in a school district virtual instruction program regardless of the student's district of residence, and assist the school district with executing an appropriate contract with an approved K-8 virtual school for payment for virtual instruction for each student. The maximum number of students to be funded pursuant to this provision is the number being served in 2009-2010.

From the funds in Specific Appropriations 6 and 78 school districts may implement web-based community service hour tracking systems.

From the funds provided in Specific Appropriations 6 or 78, school districts and individual schools are authorized to purchase computers or technology that are no older than 3.75 years if the equipment is network and internet capable, arrives in a refurbished plug-and-go condition and has a minimum two year warranty. To be eligible, this equipment must be provided by a not-for-profit organization or grant-based program at a below-market price.

79 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND 2,737,984,020
FROM PRINCIPAL STATE SCHOOL TRUST
FUND 86,161,098

Funds in Specific Appropriations 7 and 79 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,325.66, for grades 4 to 8 shall be $904.24, and for grades 9 to 12 shall be $906.42. The class size reduction allocation shall be recalculated based on enrollment through the October 2010 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 79, funds shall be prorated to the level of the appropriation based on each district's calculated amount. 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.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM GENERAL REVENUE FUND 8,575,078,918
FROM TRUST FUNDS 983,264,689

TOTAL ALL FUNDS 9,558,343,607

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

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Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 80, 89, 93, and 104, 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.

Federal Grants Trust Funds provided in Specific Appropriations 84, 86, 88, 89, 93, 102, and 103 are State Fiscal Stabilization Funds (Discretionary).

80 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 1,255,285
FROM FEDERAL GRANTS TRUST FUND . . . 488,564

Funds provided in Specific Appropriation 80 from the General Revenue Fund shall be allocated as follows:

Instructional Materials for Partially Sighted Pupils..... 131,493
Sunlink Uniform Library Database..... 100,000
Learning Through Listening..... 950,000
Instructional Materials Management..... 73,792

Funds provided in Specific Appropriation 80 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

Instructional Materials for Partially Sighted Pupils..... 8,564
Panhandle Area Educational Consortium (PAEC) for
Distance Learning Teacher Training..... 480,000

From the funds provided in Specific Appropriation 80 for the Sunlink Uniform Library, $50,000 each shall be provided to the College Center for Library Automation (CCLA) and the Department of Education to transfer the Sunlink bibliographic database in standard library data format to the CCLA for inclusion in its online discovery tool product and made publicly searchable by school district students, staff and parents. The department shall also develop an ongoing process to provide for electronic updating of customer data as described in the "Hosted Service Solution Agreement SUNLINK/University of Central Florida" dated November 2, 2009, to the CCLA to keep the transferred public school library holdings data current.

83 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS
FOR READING PROGRAMS
FROM FEDERAL GRANTS TRUST FUND . . . 7,300,000

From the funds provided in Specific Appropriation 83, $2,300,0000 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary). These funds may be utilized to provide non-phonemic reading instruction for students scoring Level 1 or Level 2 in Reading on the Florida Comprehensive Assessment Test (FCAT).

84 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 3,211,801
FROM FEDERAL GRANTS TRUST FUND . . . 723,379

Funds in Specific Appropriation 84 may 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.

85 SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT
ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 14,045,761
FROM FEDERAL GRANTS TRUST FUND . . . 1,183,735

Funds provided in Specific Appropriation 85 from the General Revenue Fund shall be allocated as follows:

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Best Buddies..... 689,973
Take Stock in Children..... 4,000,000
Big Brothers, Big Sisters..... 2,270,880
The Florida Alliance of Boys and Girls Clubs..... 1,809,941
YMCA State Alliance..... 899,967
Competitive Bid Projects..... 4,375,000

Funds provided in Specific Appropriation 85 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

Governor's Mentoring Initiative..... 316,533
Competitive Bid Projects..... 867,202

From the funds in Specific Appropriation 85, $4,375,000 from the General Revenue Fund and $867,202 from the Federal Grants Trust Fund, shall be used by the Department of Education to competitively bid for one or more providers to provide mentoring or student assistance services to at-risk students. Programs that apply for funding shall demonstrate research-based, structured mentoring or student assistance programs that have a record of proven outcomes in student achievement and a limitation on administrative costs. Programs that can demonstrate matching funds shall be given priority for funding. Charter schools that have student assistance programs that extend the learning day are eligible to apply. The department shall release the request for proposal by July 15, 2010.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study to examine the effectiveness of all mentoring programs currently funded by the state. The study will determine and utilize common measures in determining the effectiveness of these mentoring programs, but at a minimum, the study will utilize historical data available through the Florida Department of Education and research data from third-party evaluators to look at the following common measures: maintenance of or improvements to student attendance rates, increases in reading and math assessment scores, promotion to the next grade level, and conduct behavior. The results of the study shall be provided to the Speaker of the House of Representatives, the President of the Senate, and the Executive Office of the Governor no later than January 31, 2011.

86 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT
PROGRAM
FROM GENERAL REVENUE FUND 1,825,106
FROM FEDERAL GRANTS TRUST FUND . . . 411,060

87 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND
LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,348,554
FROM FEDERAL GRANTS TRUST FUND . . . 136,465

Funds provided in Specific Appropriation 87 from the General Revenue Fund shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida..... 466,719
University of Miami..... 439,480
Florida State University..... 438,138
University of South Florida..... 458,092
University of Florida Health Science Center at Jacksonville. 546,125

Funds provided in Specific Appropriation 87 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida..... 27,119
University of Miami..... 25,537
Florida State University..... 25,458
University of South Florida..... 26,618
University of Florida Health Science Center at Jacksonville. 31,733

Each center shall provide a report to the Department of Education by

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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September 1, 2010, for the 2009-2010 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.

88 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 595,286
FROM FEDERAL GRANTS TRUST FUND . . . 193,276

89 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 1,285,584
FROM FEDERAL GRANTS TRUST FUND . . . 354,288

Funds in Specific Appropriation 89 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation rates. 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. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 89 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

90 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 20,000

91 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 369,487
FROM FEDERAL GRANTS TRUST FUND . . . 21,942
FROM GRANTS AND DONATIONS TRUST FUND 5,485

92 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 5,893,731
FROM FEDERAL GRANTS TRUST FUND . . . 342,460

Funds provided in Specific Appropriation 92 from the General Revenue Fund shall be allocated as follows:

University of South Florida/Florida Mental Health Institute. 1,033,689
University of Florida (College of Medicine)..... 716,817
University of Central Florida..... 885,209
University of Miami (Department of Pediatrics) including $233,029 for activities in Broward County through Nova Southeastern University..... 1,120,396
Florida Atlantic University..... 560,602
University of Florida (Jacksonville)..... 746,999
Florida State University (College of Medicine)..... 830,019

Funds provided in Specific Appropriation 92 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

University of South Florida/Florida Mental Health Institute. 60,063
University of Florida (College of Medicine)..... 41,651
University of Central Florida..... 51,436
University of Miami (Department of Pediatrics) including $13,540 for activities in Broward County through Nova Southeastern University..... 65,102
Florida Atlantic University..... 32,574
University of Florida (Jacksonville)..... 43,405
Florida State University (College of Medicine)..... 48,229

Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 92. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2010.

93 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,445,390
FROM FEDERAL GRANTS TRUST FUND . . . 166,075

94 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 236,691
FROM FEDERAL GRANTS TRUST FUND . . . 134,616,337

Funds provided in Specific Appropriation 94 from the General Revenue Fund shall be allocated as follows:

Florida Association of District School Superintendents Training..... 171,618
Principal of the Year..... 35,239
Teacher of the Year..... 22,431
School Related Personnel of the Year..... 7,403

From the funds provided in Specific Appropriation 94, $35,431 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

Florida Association of District School Superintendents Training..... 25,691
Principal of the Year..... 5,275
Teacher of the Year..... 3,357
School Related Personnel of the Year..... 1,108

95 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND 1,052,437
FROM FEDERAL GRANTS TRUST FUND . . . 1,935,655

Funds in Specific Appropriation 95 from the General Revenue Fund shall be allocated as follows:

State Science Fair..... 39,463
Academic Tourney..... 65,770
Arts for a Complete Education..... 131,539
Florida Holocaust Museum..... 137,020
Project to Advance School Success..... 678,645

Funds in Specific Appropriation 95 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

State Science Fair..... 2,569
Academic Tourney..... 4,282
Arts for a Complete Education..... 8,564
Florida Holocaust Museum..... 8,564
Learning for Life..... 1,242,590
Girl Scouts of Florida..... 382,335
Black Male Explorers..... 286,751

Funds provided in Specific Appropriation 95 for the Learning for Life program are eligible to be used in any public school.

96 SPECIAL CATEGORIES
GRANTS AND AIDS - EXCEPTIONAL EDUCATION
FROM GENERAL REVENUE FUND 1,495,717

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FROM FEDERAL GRANTS TRUST FUND . . . 2,576,329

From the funds provided in Specific Appropriation 96, $242,975 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary).

97 SPECIAL CATEGORIES
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND
FROM GENERAL REVENUE FUND 37,916,277
FROM FEDERAL GRANTS TRUST FUND . . . 6,507,811
FROM GRANTS AND DONATIONS TRUST FUND 1,742,730

From the funds in Specific Appropriation 97, the school shall contract 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, 2011, 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 2010-2011 fiscal year.

Funds in Specific Appropriation 97 from the Federal Grants Trust Fund include $3,905,354 in State Fiscal Stabilization Funds (Discretionary).

98 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,173
FROM FEDERAL GRANTS TRUST FUND . . . 1,694
FROM GRANTS AND DONATIONS TRUST FUND 1,167

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP
FROM GENERAL REVENUE FUND 73,023,280
FROM TRUST FUNDS 158,708,452

TOTAL ALL FUNDS 231,731,732

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

99 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM GRANTS AND DONATIONS TRUST FUND 4,099,420

100 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS
FROM ADMINISTRATIVE TRUST FUND . . . 553,962
FROM FEDERAL GRANTS TRUST FUND . . . 2,458,281,229

From the funds in Specific Appropriation 100, $945,922,436 is provided from the American Recovery and Reinvestment Act of 2009 and allocated to programs as follows: $496,810,650 for Title I of the Elementary and Secondary Education Act; $422,519,656 for the Individuals with Disabilities Education Act; $24,475,720 for Education Technology; and $2,116,410 for Title X - Education for Homeless Children and Youths.

From the funds provided in Specific Appropriation 100, the Department of Education shall competitively procure the juvenile justice quality assurance requirements established in section 1003.52(15), Florida Statutes, if federal funds are available. The development of the Request for Applications, the procurement, and the project monitoring shall be done in partnership with the Department of Juvenile Justice.

101 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM
FROM FOOD AND NUTRITION SERVICES TRUST FUND 804,333,624

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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102 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH
FROM GENERAL REVENUE FUND 16,886,046
FROM FEDERAL GRANTS TRUST FUND . . . 2,532,907

Funds provided in Specific Appropriation 102 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 3,269,801,142

TOTAL ALL FUNDS 3,286,687,188

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

103 SPECIAL CATEGORIES
CAPITOL TECHNICAL CENTER
FROM GENERAL REVENUE FUND 178,968
FROM FEDERAL GRANTS TRUST FUND . . . 24,996

104 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY
FROM GENERAL REVENUE FUND 1,030,000

The funds provided in Specific Appropriation 104 shall be allocated as follows:

NEFEC Web-Based Instruction for Credit Recovery..... 1,000,000
Broward Educational Programming..... 30,000

105 SPECIAL CATEGORIES
FEDERAL EQUIPMENT MATCHING GRANT
FROM GENERAL REVENUE FUND 627,356

106 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 7,555,361
FROM FEDERAL GRANTS TRUST FUND . . . 1,490,208

The funds provided in Specific Appropriation 106 from the General Revenue Fund shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming..... 437,429
Florida Channel Closed Captioning..... 299,691
Florida Channel Year Round Coverage..... 1,148,851
Public Television and Radio Stations..... 5,669,390

The funds provided in Specific Appropriation 106 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary) and shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming..... 86,278
Florida Channel Closed Captioning..... 59,111
Florida Channel Year Round Coverage..... 226,597
Public Television and Radio Stations..... 1,118,222

From the funds provided in Specific Appropriation 106, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel."

General revenue funds provided in Specific Appropriation 106 for public television and radio stations shall be allocated in the amount of $363,200 for each public television station and $72,907 for each public radio station as recommended by the Commissioner of Education.

Federal Grants Trust Funds provided in Specific Appropriation 106 from State Fiscal Stabilization Funds (Discretionary) for public television and radio stations shall be allocated in the amount of $71,637 for each public television station and $14,380 for each public radio station as recommended by the Commissioner of Education.

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TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
FROM GENERAL REVENUE FUND 9,391,685
FROM TRUST FUNDS 1,515,204

TOTAL ALL FUNDS 10,906,889

PROGRAM: WORKFORCE EDUCATION

107 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 5,152,850

The funds provided in Specific Appropriation 107 shall be allocated as follows:

Alachua	7,345
Baker	2,734
Bay	45,266
Bradford	15,424
Brevard	58,576
Broward	813,329
Calhoun	1,024
Charlotte	51,343
Citrus	56,502
Clay	26,465
Collier	88,235
Columbia	11,225
Miami-Dade	945,149
De Soto	12,169
Dixie	2,967
Escambia	72,063
Flagler	32,015
Franklin	66
Gadsden	3,409
Glades	67
Gulf	551
Hamilton	1,068
Hardee	2,515
Hendry	4,903
Hernando	17,332
Hillsborough	460,184
Indian River	25,680
Jackson	3,738
Jefferson	682
Lafayette	1,007
Lake	91,518
Lee	178,977
Leon	67,835
Liberty	2,103
Manatee	133,910
Marion	102,908
Martin	13,556
Monroe	9,240
Nassau	6,385
Okaloosa	13,559
Orange	440,624
Osceola	92,169
Palm Beach	233,323
Pasco	109,867
Pinellas	378,215
Polk	133,256
Putnam	13,533
Saint Johns	96,491
Santa Rosa	32,949
Sarasota	121,229
Sumter	3,289
Suwannee	21,808
Taylor	32,310
Union	2,325
Wakulla	4,348
Walton	7,970
Washington	46,120

Funds in Specific Appropriation 107 are not to be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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108 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 47,625,538

109 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 340,173,191
FROM FEDERAL GRANTS TRUST FUND . . . 21,987,883

Funds from the Educational Enhancement Trust Fund in Specific Appropriation 9 and the General Revenue Fund in Specific Appropriation 109 are provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and are allocated as follows:

Alachua	1,274,481
Baker	180,229
Bay	2,994,480
Bradford	838,625
Brevard	2,958,834
Broward	60,184,320
Calhoun	164,979
Charlotte	2,524,507
Citrus	2,461,956
Clay	926,208
Collier	6,286,524
Columbia	310,640
Miami-Dade	85,801,318
DeSoto	830,384
Dixie	65,996
Escambia	4,532,780
Flagler	2,419,647
Franklin	52,825
Gadsden	682,250
Glades	6,840
Gulf	154,189
Hamilton	72,972
Hardee	269,494
Hendry	389,799
Hernando	493,597
Hillsborough	28,678,988
Indian River	871,983
Jackson	497,853
Jefferson	174,142
Lafayette	44,374
Lake	4,023,810
Lee	9,294,097
Leon	5,092,666
Liberty	38,180
Madison	34,556
Manatee	6,197,309
Marion	2,845,432
Martin	2,221,644
Monroe	838,686
Nassau	184,526
Okaloosa	2,119,353
Orange	29,776,681
Osceola	4,140,894
Palm Beach	15,415,994
Pasco	3,150,714
Pinellas	22,854,740
Polk	9,700,491
Putnam	471,124
Saint Johns	5,342,226
Santa Rosa	1,573,373
Sarasota	9,125,314
Sumter	252,580
Suwannee	888,452
Taylor	1,252,795

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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Union	156,420
Wakulla	261,097
Walton	152,153
Washington	2,919,325
Washington Special	30,645

Funds in Specific Appropriation 109 from the Federal Grants Trust Fund include $21,987,883 in State Fiscal Stabilization Funds (Education). The funds shall be allocated as follows:

Bay	208,609
Bradford	58,422
Broward	4,192,709
Charlotte	175,869
Citrus	171,511
Collier	437,948
Miami-Dade	5,977,307
Escambia	315,774
Hillsborough	1,997,908
Indian River	60,746
Lake	280,317
Lee	647,469
Leon	354,778
Manatee	431,733
Marion	198,226
Okaloosa	147,644
Orange	2,074,378
Osceola	288,473
Pasco	219,493
Pinellas	1,592,164
Polk	675,780
Saint Johns	372,164
Santa Rosa	109,608
Sarasota	635,711
Suwannee	61,894
Taylor	87,275
Walton	10,600
Washington	203,373

Tuition and fee rates are established for the 2010-2011 fiscal year as follows:

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $2.06 per contact hour for residents. For nonresidents, the out-of-state fee shall be $6.18 per contact hour in addition to the standard tuition of $2.06 per contact hour.

For adult general education programs, the standard tuition shall be $1.01 per contact hour for residents. For nonresidents, the out-of-state fee shall be $3.03 per contact hour in addition to the standard tuition of $1.01 per contact hour.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and are not to be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 9, 107 and 109 are not to be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Consistent with section 1009.22(3)(d), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not be made.

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.

From the funds provided in Specific Appropriations 9 and 109, each school district shall report enrollment for adult general education

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

No funds in Specific Appropriations 9 and 109 are for instruction of state or federal inmates.

110 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM FEDERAL GRANTS TRUST FUND . . . 77,144,852

111 SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND 5,300,000

Funds in Specific Appropriation 111 are provided to continue implementation of the Florida Ready to Work Program created in section 1004.99, Florida Statutes. The Ready to Work Program may be conducted in public schools, regional education consortia, Florida colleges, area technical centers, one-stop career centers, vocational rehabilitation centers, correctional programs, Department of Juvenile Justice programs, state agencies, and businesses/employers operating in Florida.

Up to 20% of funds in Specific Appropriation 111 may be utilized for assessments, stipends, outreach, credentialing, and DOE administration. The balance of funds is provided for curriculum and implementation services. To maximize the state's investment in the program and minimize disruption of program services, the department shall enter into a contract with the current Ready to Work provider selected by competitive procurement in the 2006-2007 fiscal year. Public schools, Florida colleges, area technical centers, and businesses/employers shall have first priority for use of assessments and curriculum.

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 350,626,041
FROM TRUST FUNDS 146,758,273

TOTAL ALL FUNDS 497,384,314

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

Funds provided in Specific Appropriations 10 and 112 through 115A shall not be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of activities related to or involving travel to any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

112 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND 904,119,526
FROM FEDERAL GRANTS TRUST FUND . . . 83,045,378

Funds provided in Specific Appropriation 112 from the General Revenue Fund are provided for operating funds, including performance incentives and approved baccalaureate programs, and shall be allocated as follows:

Brevard Community College	32,678,204
Broward College	62,146,109
College of Central Florida	17,489,110
Chipola College	8,487,547
Daytona State College	42,497,181
Edison State College	21,929,243
Florida State College at Jacksonville	65,039,496
Florida Keys Community College	5,013,890
Gulf Coast Community College	15,583,128
Hillsborough Community College	42,857,263
Indian River State College	38,558,306
Florida Gateway College	10,675,272

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Lake Sumter Community College	9,369,769
State College of Florida, Manatee-Sarasota	19,026,181
Miami Dade College	143,514,061
North Florida Community College	5,393,970
Northwest Florida State College	15,705,190
Palm Beach State College	44,839,015
Pasco-Hernando Community College	17,170,213
Pensacola Junior College	29,019,344
Polk State College	19,332,105
St. Johns River Community College	14,581,800
St. Petersburg College	55,752,393
Santa Fe College	30,011,553
Seminole State College of Florida	31,162,378
South Florida Community College	13,304,365
Tallahassee Community College	25,665,702
Valencia Community College	54,101,471
College Center for Library Automation	13,215,267

Funds in Specific Appropriation 112 from the Federal Grants Trust Fund include $83,045,378 in State Fiscal Stabilization Funds (Education). The funds shall be allocated as follows:

Brevard Community College	3,068,875
Broward College	5,826,730
College of Central Florida	1,623,655
Chipola College	791,593
Daytona State College	3,982,130
Edison State College	2,033,126
Florida State College at Jacksonville	6,073,383
Florida Keys Community College	470,865
Gulf Coast Community College	1,447,007
Hillsborough Community College	4,024,811
Indian River State College	3,596,676
Florida Gateway College	1,002,536
Lake Sumter Community College	879,934
State College of Florida, Manatee-Sarasota	1,769,775
Miami Dade College	13,448,329
North Florida Community College	506,558
Northwest Florida State College	1,470,885
Palm Beach State College	4,190,443
Pasco-Hernando Community College	1,612,489
Pensacola Junior College	2,708,830
Polk State College	1,533,780
St. Johns River Community College	1,352,971
St. Petersburg College	5,180,294
Santa Fe College	2,799,662
Seminole State College Florida	2,909,500
South Florida Community College	1,249,448
Tallahassee Community College	2,410,317
Valencia Community College	5,080,776

Beginning with the Fall 2010 semester, tuition and fee rates are established for the 2010-2011 fiscal year as follows:

For advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, standard tuition for residents and nonresidents shall be $63.48 per credit hour and the out-of-state fee shall be $190.57 per credit hour for nonresidents.

For baccalaureate degree programs, the standard tuition shall be $80.94 per credit hour for students who are residents.

Prior to the disbursement of funds in Specific Appropriation 112, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes. The operating budget shall clearly identify planned expenditures for baccalaureate programs and shall include the sources of funds.

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $2.06 per contact hour for residents and nonresidents and the out-of-state fee shall be $6.18 per contact hour.

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For adult general education programs, the standard tuition shall be $1.01 per contact hour for residents and nonresidents and the out-of-state fee shall be $3.03 per contact hour.

Consistent with sections 1009.22(3)(d) and 1009.23(3)(c), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not be made.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida 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.

No funds in Specific Appropriation 112 are provided for instruction of state or federal inmates.

In compliance with section 1011.84(1)(f), Florida Statutes, from the funds appropriated in Specific Appropriation 112, Florida 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 30.

From the funds in Specific Appropriation 112 for the College Center for Library Automation, $1,337,892 shall be released at the beginning of the first quarter in addition to the normal release and $2,278,031 shall be released at the beginning of the second quarter in addition to the normal release. The additional release is provided to maximize cost savings through centralized purchase of subscription-based e-resources. The remaining appropriated funds for the Center shall be distributed in accordance with the normal release plan.

From the funds in Specific Appropriation 112, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the Florida colleges.

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2010-2011 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

From the funds provided in Specific Appropriation 112, the College Center for Library Automation (CCLA) shall expand its online discovery tool product to allow a user to search simultaneously the combined holdings and applicable electronic resources of CCLA and the Florida Center for Library Automation. In addition, library holdings currently available in SUNLINK, as well as library holdings available in standard machine readable bibliographic records of the State Library of Florida and the public libraries, should be included when and where feasible. The expanded search function shall be implemented by September 1, 2010.

114 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 566,251

115 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 316,675

115A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S TWO PLUS TWO
PUBLIC AND PRIVATE PARTNERSHIPS
FROM GENERAL REVENUE FUND 5,000,000

From the funds in Specific Appropriation 115A, $4,000,000 shall be awarded to eligible public colleges and universities with partnership articulation agreements to provide 2+2 baccalaureate degree programs at a college during the 2010-2011 academic year. Funding shall be based on the eligible full-time equivalent enrollment in each 2+2 baccalaureate

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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partnership program offered at a college during the 2010-2011 academic year. The participating college and the participating partner university shall receive equal proportions of the per student incentive award. Colleges shall submit applications to the Department of Education requesting funds for eligible programs by April 15, 2011. The Department shall distribute the funds to the eligible colleges and partner universities by June 1, 2011.

From the funds in Specific Appropriation 115A, $1,000,000 shall be awarded as incentive grants to eligible public colleges and universities to establish new partnership articulation agreements to create 2+2 baccalaureate degree programs at a college during the 2010-2011 and 2011-2012 academic years. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the new programs and advise all approved applicants accordingly. Funds must be used to support new students and new programs and not to supplant current funding or students.

TOTAL: PROGRAM: FLORIDA COLLEGES
FROM GENERAL REVENUE FUND 910,002,452
FROM TRUST FUNDS 83,045,378

TOTAL ALL FUNDS 993,047,830

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 116 through 130 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services provided in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 116 through 130, the Commissioner of Education shall prepare and provide to the chair of the Senate Policy and Steering Committee on Ways and Means, the chair of the House Full Appropriations Council on Education and Economic Development, and the Executive Office of the Governor on or before October 1, 2010, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2010-2011 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, 2010, balance of all unexpended federal indirect cost funds.

From the funds in Specific Appropriations 116 through 130, the Department of Education shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on Education and Economic Development and Senate Policy and Steering Committee on Ways and Means for the relocation and consolidation of its computing services and associated resources from the department's Knott Data Center in the Turlington Building and any vendor currently hosting a production environment for a department-related application or system to the Northwest Regional Data Center (NWRDC) by December 31, 2011, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

The department shall work with the Agency for Enterprise Information Technology (AEIT) and the NWRDC in developing the plan, in accordance with requirements of the AEIT, that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full-time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation.

By September 1, 2010, the Department of Education shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on Education and Economic Development and Senate Policy and

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Steering Committee on Ways and Means within five working days explaining the specific issues preventing execution, and describing the Department's plan and schedule for resolving those issues.

From the funds provided in Specific Appropriations 129, 129a, and 130, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

From the funds in Specific Appropriations 116 through 130, the Department of Education shall coordinate, organize, and publish online all currently available reports relating to school district finances on an existing department website, including information generated from the department's school district finance database. These reports shall also be readily accessible to the public through a link on the Transparency Florida website established by section 215.985, Florida Statutes, pursuant to recommendations in the February 2010 report "Recommendations for Transparency Florida" by the Joint Legislative Auditing Committee. The school district reports to be available on the Transparency Florida website include, but are not limited to, those currently published on the department's website, school district websites, and the Auditor General's website. The department shall coordinate with the Executive Office of the Governor to create links on the Transparency Florida website to school district reports by August 1, 2010. By December 31, 2010, the department shall publish additional finance data relating to school districts that is not currently available online, including school-level expenditure data. The department shall work with school districts to ensure that each district website provides a link to the Transparency Florida website. The department shall also establish a working group to study issues related to the future expansion of school finance data available to the public through the Transparency Florida website. The working group shall include department finance staff, district finance officers, and other appropriate district staff. The working group shall develop recommendations regarding the establishment of a framework to provide school-level data in greater detail and frequency. The recommendations should address the need to report accounting transactions in a common, uniform format and include an analysis of potential barriers such as cost, technology, account coding structure, data security, and other issues that could impact completion of an expanded system of transparency in school finances. The working group shall also examine means for district coordination in the completion of the system. The working group shall publish a report of its findings by December 1, 2010.

APPROVED SALARY RATE 54,322,789

116 SALARIES AND BENEFITS POSITIONS 1,128.00
FROM GENERAL REVENUE FUND 20,743,713
FROM ADMINISTRATIVE TRUST FUND . . . 7,932,923
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND 4,446,964
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND 2,913,655
FROM FEDERAL GRANTS TRUST FUND . . . 15,520,925
FROM FOOD AND NUTRITION SERVICES TRUST FUND 2,667,264
FROM INSTITUTIONAL ASSESSMENT TRUST FUND 2,214,259
FROM STUDENT LOAN OPERATING TRUST FUND 10,106,745
FROM OPERATING TRUST FUND 661,179
FROM WORKING CAPITAL TRUST FUND . . 5,125,280

From the funds provided in Specific Appropriation 116, $1,276,752 from the Federal Grants Trust Funds are State Fiscal Stabilization Funds (Discretionary).

117 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 239,515
FROM ADMINISTRATIVE TRUST FUND . . . 135,012
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND 149,999

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FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		40,000
FROM FEDERAL GRANTS TRUST FUND . . .		1,134,714
FROM FOOD AND NUTRITION SERVICES TRUST FUND		127,020
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		49,600
FROM STUDENT LOAN OPERATING TRUST FUND		250,000
FROM OPERATING TRUST FUND		120,101
FROM WORKING CAPITAL TRUST FUND . .		8,320
118 EXPENSES		
FROM GENERAL REVENUE FUND	2,864,631	
FROM ADMINISTRATIVE TRUST FUND . . .		1,652,095
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		579,835
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		973,391
FROM FEDERAL GRANTS TRUST FUND . . .		8,735,581
FROM FOOD AND NUTRITION SERVICES TRUST FUND		1,043,336
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		987,524
FROM STUDENT LOAN OPERATING TRUST FUND		2,938,493
FROM OPERATING TRUST FUND		817,556
FROM WORKING CAPITAL TRUST FUND . .		851,513
119 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	48,390	
FROM ADMINISTRATIVE TRUST FUND . . .		190,094
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		45,440
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		15,000
FROM FEDERAL GRANTS TRUST FUND . . .		778,834
FROM FOOD AND NUTRITION SERVICES TRUST FUND		57,438
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		16,375
FROM STUDENT LOAN OPERATING TRUST FUND		518,200
FROM WORKING CAPITAL TRUST FUND . .		47,921
120 SPECIAL CATEGORIES ASSESSMENT AND EVALUATION		
FROM GENERAL REVENUE FUND	35,648,861	
FROM ADMINISTRATIVE TRUST FUND . . .		392,227
FROM FEDERAL GRANTS TRUST FUND . . .		34,589,427
FROM SOPHOMORE LEVEL TEST TRUST FUND		462,942
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		12,544,268

From the funds in Specific Appropriation 120, the department shall continue the FCAT Explorer program. The Department of Education shall work with the current provider of the FCAT Explorer to identify the specific deliverables required for completion in fiscal year 2010-2011.

From the funds in Specific Appropriation 120, the Department of Education shall administer the Florida Assessments for Instructions in Reading ("FAIR") for grades K-12 in the 2010-2011 school year. FAIR shall be provided to all public school districts on a voluntary basis. The Department of Education shall also continue to run the Progress Monitoring and Reporting Network (PMRN), and provide reports on FAIR testing to participating districts. These funds will also be used for the further development and improvement of the software and system architecture of FAIR and PMRN. Districts shall be allowed to use other comparable assessments in grades K-12 without prejudice. The Department of Education will clearly communicate options to districts no later than

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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July 1, 2010.

From the funds provided in Specific Appropriation 120, $350,000 from the General Revenue Fund is provided for the development of an end-of-course assessment in civics education, and is contingent on CS for HB 105 or similar legislation becoming law.

Funds in Specific Appropriation 120 from the Federal Grants Trust Fund include $5,748,056 in State Fiscal Stabilization Funds (Discretionary).

122 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	282,410	
123 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	736,327	
FROM ADMINISTRATIVE TRUST FUND . . .		468,008
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		1,583,535
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		271,017
FROM FEDERAL GRANTS TRUST FUND . . .		1,744,925
FROM FOOD AND NUTRITION SERVICES TRUST FUND		2,036,539
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		204,134
FROM STUDENT LOAN OPERATING TRUST FUND		14,058,767
FROM OPERATING TRUST FUND		2,000
FROM WORKING CAPITAL TRUST FUND . .		52,847

From the funds in Specific Appropriation 123, the Department of Education shall continue a virtual curriculum marketplace to assist school districts in the provision of electronic content and resources.

The virtual curriculum marketplace must contain free or fee-based electronic content and resources from multiple providers that must be aligned with the Next Generation Sunshine State Standards. The department may retain a percentage of any fees charged for such content and resources to offset the cost of maintaining and operating the virtual curriculum marketplace which must be self supporting.

The department is authorized to negotiate with the Florida Distance Learning Consortium or private providers for a common statewide platform to implement the virtual curriculum marketplace.

From the funds in Specific Appropriation 123, the department shall contract with an entity located outside of the state of Florida at a maximum cost of $100,000 to study the Florida Education Finance Program. The study shall review the current funding distribution formula for the sole purpose of recommending any improvements to the existing formula that would better reflect the varying characteristics of each of the 67 school districts and their respective overall student populations, assessing the equity of the current formula in this regard. The department shall submit the results of the study to the President of the Senate, the Speaker of the House of Representatives and the Executive Office of the Governor no later than January 1, 2011.

124 SPECIAL CATEGORIES GRANTS AND AIDS - CHOICES PRODUCT SALES		
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		400,000
125 SPECIAL CATEGORIES EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		200,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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126 SPECIAL CATEGORIES
STUDENT FINANCIAL ASSISTANCE MANAGEMENT
INFORMATION SYSTEM
FROM STUDENT LOAN OPERATING TRUST
FUND 484,993

127 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 143,281
FROM ADMINISTRATIVE TRUST FUND . . . 64,168
FROM EDUCATIONAL CERTIFICATION AND
SERVICE TRUST FUND 42,287
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 17,505
FROM FEDERAL GRANTS TRUST FUND . . . 117,656
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 22,373
FROM INSTITUTIONAL ASSESSMENT
TRUST FUND 8,605
FROM STUDENT LOAN OPERATING TRUST
FUND 103,013
FROM OPERATING TRUST FUND 4,445
FROM WORKING CAPITAL TRUST FUND . . 38,198

128 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 178,042
FROM ADMINISTRATIVE TRUST FUND . . . 32,569
FROM EDUCATIONAL CERTIFICATION AND
SERVICE TRUST FUND 27,050
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 17,817
FROM FEDERAL GRANTS TRUST FUND . . . 112,097
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 22,030
FROM INSTITUTIONAL ASSESSMENT
TRUST FUND 7,839
FROM STUDENT LOAN OPERATING TRUST
FUND 67,187
FROM OPERATING TRUST FUND 4,394
FROM WORKING CAPITAL TRUST FUND . . 43,643

129 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM GENERAL REVENUE FUND 3,586,770
FROM ADMINISTRATIVE TRUST FUND . . . 799,486
FROM EDUCATIONAL CERTIFICATION AND
SERVICE TRUST FUND 932,721
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 327,922
FROM FEDERAL GRANTS TRUST FUND . . . 2,178,919
FROM FOOD AND NUTRITION SERVICES
TRUST FUND 277,212
FROM INSTITUTIONAL ASSESSMENT
TRUST FUND 90,449
FROM STUDENT LOAN OPERATING TRUST
FUND 1,199,892
FROM OPERATING TRUST FUND 56,264
FROM WORKING CAPITAL TRUST FUND . . 624,421

From the funds provided in Specific Appropriation 129, $606,955 from the Federal Grants Trust Funds are State Fiscal Stabilization Funds (Discretionary).

129A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM STUDENT LOAN OPERATING TRUST
FUND 17,327

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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130 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 30,000
FROM STUDENT LOAN OPERATING TRUST
FUND 157,369

TOTAL: STATE BOARD OF EDUCATION
FROM GENERAL REVENUE FUND 64,501,940
FROM TRUST FUNDS 150,763,073

TOTAL POSITIONS 1,128.00
TOTAL ALL FUNDS 215,265,013

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15 and 132 through 139 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 11 through 15 and 131 through 143 shall not be used to support human embryonic stem cell research. This provision shall not apply if the cell or cells in question originated from a source other than a human embryo.

Funds provided in Specific Appropriations 11 through 15 and 131 through 143 shall not be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to or involving travel to any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

131 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MOFFITT CANCER CENTER
AND RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 9,114,381
FROM FEDERAL GRANTS TRUST FUND . . . 1,775,400

Funds in Specific Appropriation 131 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.

132 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL
ACTIVITIES
FROM GENERAL REVENUE FUND 1,527,189,677
FROM EDUCATION AND GENERAL STUDENT
AND OTHER FEES TRUST FUND 1,220,175,555
FROM FEDERAL GRANTS TRUST FUND . . . 129,012,316
FROM PHOSPHATE RESEARCH TRUST FUND . 7,308,009

The funds provided in Specific Appropriations 132 and 134 through 138 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2010-2011 fiscal year to the named universities to expend tuition and fees that are collected during the 2010-2011 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

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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repealed for the 2010-2011 fiscal year and the moneys 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 132 through 138 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 132, 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 11 through 15 and 132 through 139 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Each university board of trustees may allocate the institution's General Revenue Funds and Federal Grants Trust Funds across the Education and General Activities category and other program categories. Each board of trustees shall provide to the Board of Governors the allocation by grants and aids category prior to October 1, 2010.

Funds in Specific Appropriation 132 from the General Revenue Fund shall be allocated as follows:

University of Florida	287,506,027
Florida State University	237,101,568
Florida A&M University	92,688,997
University of South Florida	167,647,166
University of South Florida, St. Petersburg	21,261,850
University of South Florida, Sarasota/Manatee	10,923,331
University of South Florida, Polytechnic	28,501,397
Florida Atlantic University	136,762,865
University of West Florida	50,374,718
University of Central Florida	205,350,223
Florida International University	159,656,468
University of North Florida	64,876,141
Florida Gulf Coast University	40,047,965
New College of Florida	14,490,961

Funds in Specific Appropriation 132 from the General Revenue Fund include $10,000,000 for the New Florida Initiative.

Funds in Specific Appropriation 132 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education) and shall be allocated as follows:

University of Florida	24,962,688
Florida State University	20,268,504
Florida A&M University	8,460,902
University of South Florida	14,491,582
University of South Florida, St. Petersburg	1,842,058
University of South Florida, Sarasota/Manatee	968,456
University of South Florida, Polytechnic	678,080
Florida Atlantic University	11,630,612
University of West Florida	4,321,645
University of Central Florida	17,542,813
Florida International University	13,635,669
University of North Florida	5,602,324
Florida Gulf Coast University	3,428,533
New College of Florida	1,178,450

Funds in Specific Appropriation 132 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida	268,812,868
Florida State University	169,838,329
Florida A&M University	59,607,188
University of South Florida	126,976,848
University of South Florida, St. Petersburg	13,946,403
University of South Florida, Sarasota/Manatee	6,985,775
University of South Florida, Polytechnic	5,169,001
Florida Atlantic University	89,211,858

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
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University of West Florida	32,196,415
University of Central Florida	186,966,910
Florida International University	161,880,914
University of North Florida	56,901,156
Florida Gulf Coast University	36,502,181
New College of Florida	5,179,709

Beginning with the Fall 2010 semester, undergraduate tuition is established at $95.67 per credit hour for the 2010-2011 fiscal year. Consistent with section 1009.24(4)(b), Florida Statutes, if the tuition increase provided herein becomes law, the statutory increase for inflation will not be made.

Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes.

Funds in Specific Appropriation 132 from the Phosphate Research Trust Fund are provided for the University of South Florida Polytechnic.

Funds in Specific Appropriation 132 are based upon the following full-time equivalent (FTE) enrollment:

Resident Lower-Level	62,776
Resident Upper-Level	86,422
Resident Graduate	26,640
Nonresident (all levels)	14,646
Total	190,484

Funding for each university is based upon the following full-time equivalent (FTE) enrollment:

University of Florida;	
Resident Lower-Level	10,182
Resident Upper-Level	13,258
Resident Graduate	6,757
Nonresident (all levels)	4,049
Total	34,246
Florida State University;	
Resident Lower-Level	9,327
Resident Upper-Level	10,713
Resident Graduate	4,279
Nonresident (all levels)	2,483
Total	26,802
Florida Agricultural & Mechanical University;	
Resident Lower-Level	3,601
Resident Upper-Level	2,868
Resident Graduate	1,278
Nonresident (all levels)	1,119
Total	8,866
University of South Florida;	
Resident Lower-Level	9,275
Resident Upper-Level	12,777
Resident Graduate	3,807
Nonresident (all levels)	1,302
Total	27,161
Florida Atlantic University;	
Resident Lower-Level	4,461
Resident Upper-Level	7,910
Resident Graduate	1,958
Nonresident (all levels)	910
Total	15,239
University of West Florida;	
Resident Lower-Level	1,886
Resident Upper-Level	3,232
Resident Graduate	653
Nonresident (all levels)	444
Total	6,215

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

University of Central Florida;	
Resident Lower-Level	10,306
Resident Upper-Level	16,000
Resident Graduate	3,006
Nonresident (all levels)	1,528
Total	30,840
Florida International University;	
Resident Lower-Level	7,860
Resident Upper-Level	11,682
Resident Graduate	3,406
Nonresident (all levels)	2,138
Total	25,086
University of North Florida;	
Resident Lower-Level	3,530
Resident Upper-Level	5,244
Resident Graduate	976
Nonresident (all levels)	250
Total	10,000
Florida Gulf Coast University;	
Resident Lower-Level	2,224
Resident Upper-Level	2,319
Resident Graduate	520
Nonresident (all levels)	310
Total	5,373
New College of Florida;	
Resident Lower-Level	124
Resident Upper-Level	419
Nonresident (all levels)	113
Total	656

From the funds provided in Specific Appropriations 11, 13, 132, and 134, each university may shift enrollment by level in a manner which is revenue neutral; however, no university, with the exception of New College of Florida, shall 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 132 and 134.

The Chancellor of the State University System shall submit a revised 3-year state university enrollment plan by lower, upper, graduate I and graduate II levels, by university, to the Board of Governors by September 1, 2010. This revised 3-year enrollment plan must be developed with input from each state university. The Chancellor shall also recommend to the Legislature a funded enrollment plan based on actual enrollments and the funds appropriated to each university. This new funded enrollment plan must be developed with input from each university. The plan shall be submitted to the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council by February 1, 2011.

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 2010-2011 enrollment plan for the State University System.

Funds provided in Specific Appropriation 132 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

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
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the university.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2010-2011 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

From the funds provided in Specific Appropriation 132 to the University of Florida for the Florida Center for Library Automation (FCLA), the FCLA shall expand its online discovery tool product to allow a user to search simultaneously the combined holdings and applicable electronic resources of FCLA and the College Center for Library Automation. In addition, library holdings currently available in SUNLINK, as well as library holdings available in standard machine readable bibliographic records of the State Library of Florida and public libraries, should be included when and where feasible. The expanded search function shall be implemented by September 1, 2010.

133 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM GENERAL REVENUE FUND 118,097,713

From the funds in Specific Appropriation 133 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; however, funds from the Inland Protection Trust Fund provided specifically for site investigation and clean-up activities may continue to be spent for that purpose.

134 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER

FROM GENERAL REVENUE FUND	53,877,133	
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		37,050,046
FROM FEDERAL GRANTS TRUST FUND . . .		4,351,772

Funds in Specific Appropriation 134 are based upon the following full-time equivalent enrollment:

Resident Lower-Level	103
Resident Upper-Level	584
Resident Graduate	727
Resident M.D.	480
Nonresident (all levels)	98

From the funds in Specific Appropriations 13 and 134, the university shall allocate a minimum of $44,992 in base state support for each resident FTE enrolled in the Doctor of Medicine Degree Program.

Funds in Specific Appropriation 134 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education).

135 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER

FROM GENERAL REVENUE FUND	95,938,975	
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		32,075,356
FROM FEDERAL GRANTS TRUST FUND . . .		6,927,333

Funds in Specific Appropriation 135 are based upon the following full-time equivalent enrollment:

Resident Dentistry	321
Resident Veterinary Medicine	332
Resident M.D.	513

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
Nonresident (all levels)..... 23

From the funds in Specific Appropriations 14 and 135, the university shall allocate a minimum of $38,797 in base state support for each resident FTE enrolled in the Doctor of Medicine Degree Program.

Funds in Specific Appropriation 135 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education).

136 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY
MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 35,503,439
FROM EDUCATION AND GENERAL STUDENT
AND OTHER FEES TRUST FUND 10,207,063
FROM FEDERAL GRANTS TRUST FUND . . . 2,858,522

Funds in Specific Appropriation 136 are based upon the following full-time equivalent enrollment:

Resident M.D..... 480

From the funds in Specific Appropriations 15 and 136, the university shall allocate a minimum of $55,000 in base state support for each resident FTE enrolled in the Doctor of Medicine Degree Program.

Funds in Specific Appropriation 136 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education).

137 AID TO LOCAL GOVERNMENTS
UNIVERSITY OF CENTRAL FLORIDA MEDICAL
SCHOOL
FROM GENERAL REVENUE FUND 20,665,065
FROM EDUCATION AND GENERAL STUDENT
AND OTHER FEES TRUST FUND 2,317,185
FROM FEDERAL GRANTS TRUST FUND . . . 661,664

Funds in Specific Appropriation 137 are based upon the following full-time equivalent enrollment:

Resident M.D..... 100

From the funds in Specific Appropriation 137, the university shall allocate a minimum of $55,000 in base state support for each resident FTE enrolled in the Doctor of Medicine Degree Program.

Funds in Specific Appropriation 137 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education).

138 AID TO LOCAL GOVERNMENTS
FLORIDA INTERNATIONAL UNIVERSITY MEDICAL
SCHOOL
FROM GENERAL REVENUE FUND 25,173,458
FROM EDUCATION AND GENERAL STUDENT
AND OTHER FEES TRUST FUND 1,867,169
FROM FEDERAL GRANTS TRUST FUND . . . 859,244

Funds in Specific Appropriation 138 are based upon the following full-time equivalent enrollment:

Resident M.D..... 80

From the funds in Specific Appropriation 138, the university shall allocate a minimum of $55,000 in base state support for each resident FTE enrolled in the Doctor of Medicine Degree Program.

Funds in Specific Appropriation 138 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Education).

139 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL
ASSISTANCE
FROM GENERAL REVENUE FUND 16,800,890

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION
A minimum of 75 percent of the funds provided in Specific Appropriation 139 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 139 shall be allocated as follows:

University of Florida..... 4,087,954
Florida State University..... 3,453,334
Florida A&M University..... 1,469,218
University of South Florida..... 2,003,219
Florida Atlantic University..... 940,372
University of West Florida..... 371,214
University of Central Florida..... 2,019,778
Florida International University..... 1,272,154
University of North Florida..... 471,928
Florida Gulf Coast University..... 230,760
New College of Florida..... 480,959

140 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTITUTE FOR HUMAN AND
MACHINE COGNITION
FROM GENERAL REVENUE FUND 1,010,453
FROM FEDERAL GRANTS TRUST FUND . . . 492,500

142 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 17,092,103
FROM PHOSPHATE RESEARCH TRUST FUND . 4,155

143 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 278,859

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND 1,920,742,146
FROM TRUST FUNDS 1,457,943,289

TOTAL ALL FUNDS 3,378,685,435

BOARD OF GOVERNORS

Funds provided in Specific Appropriations 144 through 148 from the Federal Grants Trust Fund are State Fiscal Stabilization Funds (Discretionary).

From the funds in Specific Appropriations 144 through 148, the Board of Governors shall conduct a needs assessment survey of the state university system of student life facilities and develop recommendations to address unmet renovation or new facility needs identified by the survey. The recommendations shall specifically consider the impact of existing policies, statutory provisions, and regulations in meeting these needs and the unique challenges of smaller institutions or branch campuses.

APPROVED SALARY RATE 3,767,891

144 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 3,051,689
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 679,033
FROM FEDERAL GRANTS TRUST FUND . . . 1,284,000

145 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 14,373
FROM DIVISION OF UNIVERSITIES
FACILITY CONSTRUCTION
ADMINISTRATIVE TRUST FUND 15,000
FROM FEDERAL GRANTS TRUST FUND . . . 6,300
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 5,000

146 EXPENSES
FROM GENERAL REVENUE FUND 521,896
FROM DIVISION OF UNIVERSITIES

SECTION 2 - EDUCATION (ALL OTHER FUNDS)
SPECIFIC
APPROPRIATION

FACILITY CONSTRUCTION		
ADMINISTRATIVE TRUST FUND		264,799
FROM FEDERAL GRANTS TRUST FUND . . .		190,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		12,000
147 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	51,782	
FROM DIVISION OF UNIVERSITIES		
FACILITY CONSTRUCTION		
ADMINISTRATIVE TRUST FUND		950
FROM FEDERAL GRANTS TRUST FUND . . .		2,380
148 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	11,982	
FROM DIVISION OF UNIVERSITIES		
FACILITY CONSTRUCTION		
ADMINISTRATIVE TRUST FUND		20,000
FROM FEDERAL GRANTS TRUST FUND . . .		50,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,000
149 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	22,025	
FROM DIVISION OF UNIVERSITIES		
FACILITY CONSTRUCTION		
ADMINISTRATIVE TRUST FUND		2,990
TOTAL: BOARD OF GOVERNORS		
FROM GENERAL REVENUE FUND	3,673,747	
FROM TRUST FUNDS		2,535,452
TOTAL POSITIONS	53.00	
TOTAL ALL FUNDS		6,209,199
TOTAL OF SECTION 2		
FROM GENERAL REVENUE FUND	12,501,292,218	
FROM TRUST FUNDS		8,713,267,044
TOTAL POSITIONS	2,488.00	
TOTAL ALL FUNDS		21,214,559,262
TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)		
EDUCATION/EARLY LEARNING		
FROM GENERAL REVENUE FUND	331,994,249	
FROM TRUST FUNDS		72,762,557
EDUCATION/PUBLIC SCHOOLS		
FROM GENERAL REVENUE FUND	9,025,005,970	
FROM TRUST FUNDS		4,810,101,936
EDUCATION/COMM COLLEGES		
FROM GENERAL REVENUE FUND	910,002,452	
FROM TRUST FUNDS		210,004,536
EDUCATION/UNIVERSITIES		
FROM GENERAL REVENUE FUND	1,920,742,146	
FROM TRUST FUNDS		1,688,614,376
EDUCATION/OTHER		
FROM GENERAL REVENUE FUND	313,547,401	
FROM TRUST FUNDS		3,232,398,734
EDUCATION RECAP		
FROM GENERAL REVENUE FUND	12,501,292,218	
FROM TRUST FUNDS		10,013,882,139
TOTAL POSITIONS	2,488.00	
TOTAL ALL FUNDS		22,515,174,357
TOTAL APPROVED SALARY RATE	106,065,805	

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
SECTION 3 - HUMAN SERVICES

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, 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 14,019,221

150 SALARIES AND BENEFITS POSITIONS 297.00		
FROM GENERAL REVENUE FUND	2,894,755	
FROM ADMINISTRATIVE TRUST FUND . . .		15,917,227
151 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	79,599	
FROM ADMINISTRATIVE TRUST FUND . . .		742,106
152 EXPENSES		
FROM GENERAL REVENUE FUND	169,253	
FROM ADMINISTRATIVE TRUST FUND . . .		3,460,597
153 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	180,923	
FROM ADMINISTRATIVE TRUST FUND . . .		514,701
154 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	230,010	
FROM ADMINISTRATIVE TRUST FUND . . .		2,932,048
155 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	29,842	
FROM ADMINISTRATIVE TRUST FUND . . .		214,458
156 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,360	
FROM ADMINISTRATIVE TRUST FUND . . .		102,884
156A SPECIAL CATEGORIES		
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM ADMINISTRATIVE TRUST FUND . . .		820,349

From the funds in Specific Appropriations 156A and 156B, $5,912,752 from the Administrative Trust Fund is provided to contract with independent consultants and vendors to develop implementation plans and to implement the Medicaid Provider Incentive program. Of these funds, $4,300,000 is contingent upon the receipt of federal funds from the American Recovery and Reinvestment Act of 2009 and shall be held in reserve. The agency is directed to submit a budget amendment in accordance with the provisions of chapter 216, Florida Statutes, requesting release of these funds upon receipt of an official grant award for the implementation phase of the Medicaid Provider Incentive program.

From the funds in Specific Appropriations 156A and 156B, $9,456,329 from the Administrative Trust Fund is provided for the creation of a Florida Health Information Exchange Infrastructure. The agency shall issue an Invitation to Negotiate by July 15, 2010, and award the contract to a vendor who can demonstrate the expertise to design and create a statewide infrastructure for Health Information Exchange through an integrated solution leveraging the ongoing federal investments to ensure meaningful use of health information. The infrastructure must ensure interoperability with the established

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National Health Information Network using national standards as the first step in implementing a Florida Health Information Exchange. The infrastructure must include open source technologies where appropriate, and give the highest priority to privacy, security, and interoperability with existing and future electronic patient medical records. The agency shall submit a report to the President of the Senate and the Speaker of the House by August 1, 2010, regarding the agency's plan for the use of these funds. Prior to expending any of the funds, the agency shall submit a proposed spending plan to the Legislative Budget Commission for review and approval.

156B SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM ADMINISTRATIVE TRUST FUND . . . 14,957,635

157 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 664,443

From the funds in Specific Appropriation 157, the Agency for Health Care Administration shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means for the relocation and consolidation of the computing services and associated resources, located in the Fort Knox Center to a state primary data center by June 30, 2012, pursuant to section 282.201(2)(d)1.e., Florida Statutes. The plan shall be in accordance with requirements of the Agency for Enterprise Information Technology (AEIT), consistent with applicable federal guidelines, including a recommendation identifying the state primary data center where the agency proposes to transfer its data center service functions, based upon the results of a cost benefit analysis coordinated with the AEIT.

From the funds in Specific Appropriation 157, the agency shall work with the AEIT and the state primary data centers in developing the plan that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation and consolidation.

From the funds in Specific Appropriation 157, by September 1, 2010, the agency shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center. If the agency is unable to complete and execute a service level agreement by that date, the agency shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means within five working days explaining the specific issues preventing execution, and describing the agency's plan and schedule for resolving those issues.

TOTAL: PROGRAM: ADMINISTRATION AND SUPPORT
FROM GENERAL REVENUE FUND 3,610,742
FROM TRUST FUNDS 40,326,448

TOTAL POSITIONS 297.00
TOTAL ALL FUNDS 43,937,190

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 158 through 163 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.

158 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION
FROM GENERAL REVENUE FUND 16,477,652
FROM TOBACCO SETTLEMENT TRUST FUND . 60,171,104
FROM MEDICAL CARE TRUST FUND 168,583,531

Funds in Specific Appropriations 158 and 161 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 to serve non-Title XXI 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 2009-2010 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

Funds in Specific Appropriation 158 reflect a reduction of $3,186,287 from the General Revenue Fund and $7,006,570 from the Medical Care Trust Fund to reflect a reduction to the per member per month rate adjustment for Florida Healthy Kids Corporation contracts for Fiscal Year 2010-2011. Average per member per month rates shall not exceed $110.08 per member per month. The corporation shall amend its contracts, effective October 1, 2010, to achieve this reduction.

159 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,376,783
FROM TOBACCO SETTLEMENT TRUST FUND . 704,548
FROM GRANTS AND DONATIONS TRUST FUND 350,317
FROM MEDICAL CARE TRUST FUND 3,971,421

160 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION
FROM GENERAL REVENUE FUND 2,642,401
FROM TOBACCO SETTLEMENT TRUST FUND . 3,946,147
FROM MEDICAL CARE TRUST FUND 14,488,201

161 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES
FROM GENERAL REVENUE FUND 9,250,207
FROM MEDICAL CARE TRUST FUND 20,341,164

Funds in Specific Appropriation 161 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than $11.99 per member per month.

From the funds in Specific Appropriation 161, $686,633 from the General Revenue Fund and $1,509,890 from the Medical Care Trust Fund are provided to implement the mandatory provisions of the Children's Health Insurance Program Reauthorization Act of 2009.

162 SPECIAL CATEGORIES
MEDIKIDS
FROM GENERAL REVENUE FUND 5,716,456
FROM TOBACCO SETTLEMENT TRUST FUND . 7,155,438
FROM GRANTS AND DONATIONS TRUST FUND 8,567,099
FROM MEDICAL CARE TRUST FUND 28,177,270

163 SPECIAL CATEGORIES
CHILDREN'S MEDICAL SERVICES NETWORK
FROM GENERAL REVENUE FUND 30,567,904
FROM TOBACCO SETTLEMENT TRUST FUND . 15,619,174
FROM GRANTS AND DONATIONS TRUST FUND 2,549,519

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FROM MEDICAL CARE TRUST FUND		100,392,034
TOTAL: CHILDREN'S SPECIAL HEALTH CARE		
FROM GENERAL REVENUE FUND	66,031,403	
FROM TRUST FUNDS		435,016,967
TOTAL ALL FUNDS		501,048,370

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 164 through 175, 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.

From the funds in Specific Appropriations 164 through 175, the agency is authorized to contract on a contingency fee basis for post-audit claims analyses to identify and recover overpayments for the Medicaid program. The state may pay the contractor a rate based on recoveries. The agency shall receive approval from the Centers for Medicare and Medicaid Services prior to entering into a contractual relationship.

APPROVED SALARY RATE	31,579,914		
164 SALARIES AND BENEFITS	POSITIONS	748.50	
FROM GENERAL REVENUE FUND		12,611,407	
FROM MEDICAL CARE TRUST FUND			30,256,540
165 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		1,774,139	
FROM MEDICAL CARE TRUST FUND			23,638,608
166 EXPENSES			
FROM GENERAL REVENUE FUND		933,078	
FROM MEDICAL CARE TRUST FUND			6,953,336
167 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		45,391	
FROM MEDICAL CARE TRUST FUND			221,266
168 SPECIAL CATEGORIES			
PHARMACEUTICAL EXPENSE ASSISTANCE			
FROM GENERAL REVENUE FUND		50,000	

Funds in Specific Appropriation 168 reflect a reduction of $400,000 from the General Revenue Fund and represent the unused appropriation amount for the Pharmaceutical Expense Assistance Program based on current participation rates.

169 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	60,454	
FROM MEDICAL CARE TRUST FUND		60,454
170 SPECIAL CATEGORIES		
CONTRACT NURSING HOME AUDIT PROGRAM		
FROM GENERAL REVENUE FUND	827,653	
FROM MEDICAL CARE TRUST FUND		1,129,095
171 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	13,528,236	
FROM GRANTS AND DONATIONS TRUST FUND		1,070,535
FROM MEDICAL CARE TRUST FUND		44,290,951

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From the funds in Specific Appropriation 171, $814,796 from the General Revenue Fund and $814,796 from the Medical Care Trust Fund are provided to continue contracting with the existing provider for the Medicaid wireless handheld drug information database program.

From the funds in Specific Appropriation 171, $358,674 from the Grants and Donations Trust Fund and $358,674 from the Medical Care Trust Fund are provided to amend the current contract for rebate invoicing and collection to include rebate invoicing for Medicaid recipients enrolled in capitated managed care plans in order to implement a mandatory provision of the Health Care and Education Reconciliation Act of 2010.

From the funds in Specific Appropriation 171, $2,600,000 from the Medical Care Trust Fund is provided on a nonrecurring basis to contract with an independent consultant to perform a Medicaid Information Technology Architecture (MITA) self-assessment of Medicaid fiscal agent operations.

172 SPECIAL CATEGORIES		
MEDICAID FISCAL CONTRACT		
FROM GENERAL REVENUE FUND	22,316,740	
FROM MEDICAL CARE TRUST FUND		53,517,164
FROM REFUGEE ASSISTANCE TRUST FUND .		114,307
173 SPECIAL CATEGORIES		
MEDICAID PEER REVIEW		
FROM GENERAL REVENUE FUND	1,093,903	
FROM MEDICAL CARE TRUST FUND		4,403,348
174 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	291,188	
FROM MEDICAL CARE TRUST FUND		298,481
175 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	105,063	
FROM MEDICAL CARE TRUST FUND		204,420
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	53,637,252	
FROM TRUST FUNDS		166,158,505
TOTAL POSITIONS	748.50	
TOTAL ALL FUNDS		219,795,757

MEDICAID SERVICES TO INDIVIDUALS

176 SPECIAL CATEGORIES		
ADULT VISION AND HEARING SERVICES		
FROM GENERAL REVENUE FUND	6,189,148	
FROM MEDICAL CARE TRUST FUND		9,903,277
FROM REFUGEE ASSISTANCE TRUST FUND .		268,327

From the funds in Specific Appropriations 176, 180, 184, 187, 189, 193, 194, 196, 198-201, 203-205, 208, 209A, 210, and 212, $228,008,289 in nonrecurring general revenue funds, $32,423,511 in nonrecurring grants and donations trust funds, and $366,070,093 in nonrecurring medical care trust funds are provided to continue the Medicaid for the Aged and Disabled (MEDS-AD) program through June 30, 2011.

From the funds in Specific Appropriations 176, 180, 182, 184, 187, 189, 193, 194, 196, 198-201, 203, 205-208, and 212, $293,328,422 in nonrecurring general revenue funds, $66,399,527 in nonrecurring grants and donations trust funds, and $457,442,063 in nonrecurring medical care trust funds are provided to continue the Medically Needy program through June 30, 2011.

177 SPECIAL CATEGORIES		
CASE MANAGEMENT		
FROM GENERAL REVENUE FUND	41,444,019	
FROM MEDICAL CARE TRUST FUND		59,842,123

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FROM REFUGEE ASSISTANCE TRUST FUND . 84,456

Funds in Specific Appropriation 177 reflect a reduction of $727,495 from the General Revenue Fund and $1,164,069 from the Medical Care Trust Fund to reflect the elimination of the Children's Medical Services (CMS) Primary Care Center targeted case management reimbursement fee, effective October 1, 2010. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 177, $1,170,047 from the Medical Care Trust Fund is provided for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 533.

Funds in Specific Appropriation 177 reflect a reduction of $692,280 from the General Revenue Fund and $1,107,720 from the Medical Care Trust Fund to reflect the elimination of incentive payments in Disease Management contracts. The agency shall amend disease management contracts to reflect this change effective July 1, 2010.

From the funds in Specific Appropriations 177 and 204, upon approval of an amendment of the existing disease management waiver, the agency is authorized to develop Requests for Proposals or Invitations to Negotiate for State of Florida Medicaid beneficiaries residing in certain counties in the Agency for Health Care Administration's Areas 1 and 6 currently enrolled in Medipass. In both areas, qualified providers must meaningfully deploy health information technology for the provision of health care services and reimbursement for those services shall be on a per member per month basis based on the person's underlying disease state. In Area 1, the agency shall give preference to a non-profit consortium of hospitals that supports primary care in the community and whose member entities contribute health information to a regional health information organization. In Area 6, the agency shall give preference to a federally qualified health care center using a Florida-based health information technology company with disease management functionality. The pilot programs shall be for a period of 36 months. The agency is authorized to seek any necessary state plan amendment or federal waiver to implement this provision.

178 SPECIAL CATEGORIES
THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 27,745,704
FROM MEDICAL CARE TRUST FUND 44,396,016
FROM REFUGEE ASSISTANCE TRUST FUND . 4,220

179 SPECIAL CATEGORIES
COMMUNITY MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 20,011,648
FROM MEDICAL CARE TRUST FUND 40,129,238
FROM REFUGEE ASSISTANCE TRUST FUND . 9,137

From the funds in Specific Appropriation 179, the agency is authorized to amend the Medicaid State Plan to include the following specialized substance abuse services: community based substance abuse intervention services and comprehensive community support services for substance abuse.

From the funds in Specific Appropriation 179, 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 funds. The public 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 beneficiary regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.

Funds in Specific Appropriation 179 reflect an increase of $5,200,208 from the Medical Care Trust Fund to provide Medicaid specialized mental health services. The agency is authorized to seek any necessary state plan amendment or federal waiver required to include mental health services for juveniles in the evidence based redirection program at the Department of Juvenile Justice. The agency is authorized to work with the Department of Juvenile Justice to develop a match program to fund Medicaid specialized mental health services using existing funding within the Department of Juvenile Justice. Payment for these services is contingent upon the availability of state matching funds in the Department of Juvenile Justice in Specific Appropriation 1141.

180 SPECIAL CATEGORIES
ADULT DENTAL SERVICES
FROM GENERAL REVENUE FUND 9,136,221
FROM MEDICAL CARE TRUST FUND 14,618,905
FROM REFUGEE ASSISTANCE TRUST FUND . 219,256

181 SPECIAL CATEGORIES
DEVELOPMENTAL EVALUATION AND INTERVENTION/
PART C
FROM MEDICAL CARE TRUST FUND 5,745,460
FROM REFUGEE ASSISTANCE TRUST FUND . 728

Funds in Specific Appropriation 181 are contingent on the availability of state match being provided in Specific Appropriation 539.

182 SPECIAL CATEGORIES
EARLY AND PERIODIC SCREENING OF CHILDREN
FROM GENERAL REVENUE FUND 67,417,354
FROM MEDICAL CARE TRUST FUND 107,896,050
FROM REFUGEE ASSISTANCE TRUST FUND . 172,763

183 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL
ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 1,220,185
FROM GRANTS AND DONATIONS TRUST
FUND 5,723,687
FROM MEDICAL CARE TRUST FUND 7,086,894

Funds in Specific Appropriation 183 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.

184 SPECIAL CATEGORIES
FAMILY PLANNING
FROM GENERAL REVENUE FUND 2,080,932
FROM MEDICAL CARE TRUST FUND 18,728,380
FROM REFUGEE ASSISTANCE TRUST FUND . 35,174

185 SPECIAL CATEGORIES
GRANTS AND AIDS - SHANDS TEACHING HOSPITAL
FROM GENERAL REVENUE FUND 9,673,569

The funds in Specific Appropriation 185, shall be primarily designated for transfer to the Agency for Health Care Administration's Grants and Donations Trust Fund for use in the Medicaid or Low Income Pool programs. Of these funds, up to $3,820,670 may be used in the Low Income Pool program or as funding to buy back the Medicaid inpatient and outpatient trend adjustments applied to Shands Healthcare Systems' individual hospital rates and other Medicaid reductions to their rates up to the actual Medicaid inpatient and outpatient costs. The transfer of the funds from the Low Income Pool program is contingent upon another local government or healthcare taxing district providing an equivalent amount of funds to be used in the Low Income Pool program. 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 System.

186 SPECIAL CATEGORIES

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HEALTHY START SERVICES
FROM MEDICAL CARE TRUST FUND 23,641,947

187 SPECIAL CATEGORIES
HOME HEALTH SERVICES
FROM GENERAL REVENUE FUND 61,474,600
FROM MEDICAL CARE TRUST FUND 98,368,551
FROM REFUGEE ASSISTANCE TRUST FUND . 89,676

From the funds in Specific Appropriation 187, the agency may implement accreditation requirements for Durable Medical Equipment and Consumable Medical Supply providers.

Funds in Specific Appropriation 187 reflect a transfer of $1,182,645 from the General Revenue Fund and $1,892,355 from the Medical Care Trust Fund from the Agency for Persons with Disabilities to provide disposable incontinence products to children ages 4 through 20 as a Medicaid state plan service rather than a Home and Community Based Waiver service, effective October 1, 2010.

From the funds in Specific Appropriation 187, $5,626,415 from the General Revenue Fund and $9,002,846 from the Medical Care Trust Fund are provided to expand Medicaid state plan coverage for disposable incontinence products to children ages 4 through 20.

188 SPECIAL CATEGORIES
HOSPICE SERVICES
FROM GENERAL REVENUE FUND 75,436,645
FROM HEALTH CARE TRUST FUND 42,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 13,378,003
FROM MEDICAL CARE TRUST FUND 209,317,040

Funds in Specific Appropriation 188 reflect a reduction of $6,745,601 from the General Revenue Fund and $10,793,664 from the Medical Care Trust Fund as a result of adjusting nursing home rates.

From the funds in Specific Appropriation 188, $13,378,003 from the Grants and Donations Trust Fund and $21,406,196 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

189 SPECIAL CATEGORIES
HOSPITAL INPATIENT SERVICES
FROM GENERAL REVENUE FUND 565,386,286
FROM GRANTS AND DONATIONS TRUST
FUND 541,510,239
FROM MEDICAL CARE TRUST FUND 2,403,607,377
FROM PUBLIC MEDICAL ASSISTANCE
TRUST FUND 380,320,000
FROM REFUGEE ASSISTANCE TRUST FUND . 2,208,755

From the funds in Specific Appropriation 189, $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 315 and 340.

From the funds in Specific Appropriation 189, $168,300 from the General Revenue Fund is provided to Lee Memorial Hospital for the Regional Perinatal Intensive Care Center (RPICC) Program.

Funds in Specific Appropriation 189 reflect a reduction of

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$89,249,983 from the General Revenue Fund, $142,809,254 from the Medical Care Trust Fund, and $162,370 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for inpatient hospital rates. The agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals as defined in section 395.602, Florida Statutes are excluded from this reduction.

From the funds in Specific Appropriation 189, $59,990,120 from the Grants and Donations Trust Fund and $95,990,432 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 or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, such hospitals shall be exempt from the inpatient reimbursement ceilings contingent on the hospital or local governmental entity providing the required state match. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available. Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited DSH data, shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriation 189, $1,822,057 from the Grants and Donation Trust Fund and $2,915,482 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 189, $45,609,650 from the Grants and Donations Trust Fund and $72,980,183 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, 2010, and any hospitals that becomes a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 12, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited Disproportionate Share Hospital (DSH) data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited Disproportionate Share Hospital (DSH) data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

Funds in Specific Appropriation 189 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 189, $3,819,847 from the

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Grants and Donations Trust Fund and $6,112,153 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 beneficiaries.

From the funds in Specific Appropriation 189, $5,000,000 from the General Revenue Fund, $144,682,090 from the Grants and Donations Trust Fund and $239,506,912 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. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in section 12, chapter 2007-326, Laws of Florida.

From the funds in Specific Appropriation 189, $19,076,447 from the Grants and Donations Trust Fund, and $30,524,300 from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for the following three categories of hospitals. Of these funds $31,984,943 is provided to the first category of hospitals, which are those hospitals that are part of a system that operates a provider service network in the following manner: $18,773,903 is for Jackson Memorial Hospital; $2,133,277 is for hospitals in Broward Health; $4,906,684 is for hospitals in the Memorial Healthcare System; and $760,226 is for Shands Jacksonville and $5,410,853 is for Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the inpatient rate. Of the above funds, $12,139,819 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. Of the above funds, $5,475,985 shall be used for the third category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates to rural hospitals. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. For this section of proviso the agency shall use the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

From the funds in Specific Appropriation 189, $136,410,282 from the Grants and Donations Trust Fund and $218,270,639 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and for designated trauma hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 189, $98,894,128 from the Grants and Donations Trust Fund and $158,240,891 from the Medical Care Trust Fund are provided for hospitals, not previously included in the proviso above, to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions

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to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of reductions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 189, $15,200,000 from the Grants and Donations Trust Fund and $24,800,000 from the Medical Care Trust Fund are provided for hospitals not previously included in the proviso above to allow for exemptions from inpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buyback of exemptions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriations 189 and 203, $2,307,600 from the Grants and Donations Trust Fund and $3,692,400 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplant and intestine transplants in Florida. The agency shall establish a reasonable global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 189, $336,525 from the Grants and Donation Trust Fund and $538,475 from the Medical Care Trust Fund are provided to adjust the Medicaid rate for any rural hospital that moved into a replacement facility during calendar year 2009 to reflect Medicaid costs for the period of time from moving into the replacement facility to when the rate would reflect the costs of the replacement facility through the routine rate setting process. To qualify for this adjustment a hospital must have a combined Medicaid and charity care utilization rate of at least 25 percent based on the most recent information reported to the Agency for Health Care Administration prior to moving into the replacement facility. This rate adjustment is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds that do not increase the current requirement for state general revenue or tobacco settlement trust funds.

From the funds in Specific Appropriation 189, the agency shall develop efficiency and outcome measures in order to assess the value for patients including both outcomes and costs over the full cycle of care.

190	SPECIAL CATEGORIES		
	REGULAR DISPROPORTIONATE SHARE		
	FROM GENERAL REVENUE FUND	750,000	
	FROM GRANTS AND DONATIONS TRUST FUND		109,097,192
	FROM MEDICAL CARE TRUST FUND		136,723,385

Funds in Specific Appropriation 190 shall be used for a Disproportionate Share Hospital Program as provided in sections 409.911, 409.9113, and 409.9119, Florida Statutes, and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 190, $69,151,938 from the Grants and Donations Trust Fund and $86,071,267 from the Medical Care

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Trust Fund are provided for payments to public hospitals.

From the funds in Specific Appropriation 190, $29,461,437 from the Grants and Donations Trust Fund and $36,669,735 from the Medical Care Trust Fund are provided for payments to defined statutory teaching hospitals. Prior to the distribution of these funds to the statutorily defined teaching hospitals, $6,487,220 shall be allocated to Shands Jacksonville Hospital, $2,660,440 shall be allocated to Tampa General Hospital, and $1,083,512 shall be allocated to Shands Teaching Hospital.

From the funds in Specific Appropriation 190, $891,000 from the Grants and Donations Trust Fund and $1,109,000 from the Medical Care Trust Fund are provided for payments to hospitals participating in graduate medical education initiatives, specifically consortiums engaged in developing new graduate medical education positions and programs. Consortiums shall consist of a combination of statutory teaching hospitals, statutory rural hospitals, hospitals with existing accredited graduate medical education positions, medical schools, Department of Health clinics, federally qualified health centers, and where possible, the Department of Veterans' Affairs clinics. Ideally, each consortium will have at least five residents per training year. Each consortium must include primary care providers and at least one hospital, and consortium residents shall rotate between participating primary care sites and hospitals. All consortiums that were selected and funded in state Fiscal Year 2009-2010 shall continue to receive funding under this section of proviso for state Fiscal Year 2010-2011. All consortium-initiated residency programs and positions shall be reviewed by the Community Hospital Education Council, which shall report all findings to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care.

From the funds in Specific Appropriation 190, $750,000 from the General Revenue Fund, $5,130,600 from the Grants and Donations Trust Fund and $7,319,400 from the Medical Care Trust Fund are provided for payments to family practice teaching hospitals.

From the funds in Specific Appropriation 190, $356,400 from the Grants and Donations Trust Fund and $443,600 from the Medical Care Trust Fund are provided for payments to hospitals licensed as specialty children's hospitals. The funds shall be distributed equally among the hospitals that qualify.

From the funds in Specific Appropriation 190, $4,105,817 from the Grants and Donations Trust Fund and $5,110,383 from the Medical Care Trust Fund are provided for payments to Provider Service Networks. Distributions are made to qualifying Provider Service Network hospitals or systems proportionally based on Fiscal Year 2006-2007 Provider Service Network patient days from qualifying Provider Service Network hospitals or systems. For purposes of this section of proviso, the Provider Service Network inpatient days used in distributing these funds shall be based on the utilization for the following individual hospitals or hospital systems only: Jackson Memorial Hospital - 15,464 days; Broward Health - 18,109 days; Memorial Healthcare System - 12,047 days; Shands Teaching - Gainesville - 1,581 days; and Shands Teaching - Jacksonville - 13,227 days.

191	SPECIAL CATEGORIES		
	LOW INCOME POOL		
	FROM GENERAL REVENUE FUND	8,781,005	
	FROM GRANTS AND DONATIONS TRUST FUND		376,068,993
	FROM MEDICAL CARE TRUST FUND		615,399,996

From the funds in Specific Appropriation 191, $9,893,684 from the Grants and Donations Trust Fund and $15,830,923 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 Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 shall be paid $9,927,653 distributed in the same proportion as the Primary Care DSH payments for

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Fiscal Year 2003-2004, excluding Imperial Point Hospital, Memorial Regional Hospital, and Memorial Hospital Pembroke who will receive individual amounts equal to $529,709, $1,600,177, and $529,709 respectively. Hospitals that are designated or provisional trauma centers shall be paid $9,561,158. Of that amount, $4,184,152 shall be distributed equally among hospitals that are a Level I trauma center; $3,431,635 shall be distributed equally among hospitals that are either a Level II or pediatric trauma center; and $1,945,371 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 $6,235,796 distributed in the same proportion as the DSH payments.

From the funds in Specific Appropriation 191, $315,810,570 from the Grants and Donations Trust Fund and $505,329,757 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals provider access systems. The funding shall be distributed in a two-step allocation process. The first phase of the allocation process shall distribute payments to qualified hospitals based on the amount of local government funding provided for the uninsured and underinsured. Payments to qualified hospitals shall be capped at 114.8 percent of the amount of local government funding it would have received for the uninsured and underinsured without the Low Income Pool program. The second phase of the allocation process is to distribute the remaining funds based on a hospital's 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 of all qualifying hospitals. To receive funds in this distribution, the 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. Of the funds allocated in the second phase, $2,419,573 shall be allocated to the rural hospitals and the remaining funds shall be allocated to the remaining hospitals that qualify for a distribution. All hospitals with accepted 2008 Financial Hospital Uniform Reporting System (FHURS) data are eligible for the second phase of the allocation process.

From the funds in Specific Appropriation 191, $601,109 from the Grants and Donations Trust Fund and $961,837 from the Medical Care Trust Fund are provided 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 191, $700,000 from the General Revenue Fund, $28,108,111 from the Grants and Donations Trust Fund and $45,695,949 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	2,358,694
Shands Jacksonville Hospital	32,352,196
All Children's Hospital	4,882,578
Shands Teaching Hospital	4,736,082
Tampa General Hospital	12,826,731
Orlando Regional Medical Center	4,107,094
Lee Memorial Hospital/CMS	875,687
St. Mary's Hospital	193,326
Miami Children's Hospital	3,962,341
Broward General Medical Center	143,067
Tallahassee Memorial Healthcare	40,465
St. Joseph's Hospital	15,652
Florida Hospital	40,964
Baptist Hospital of Pensacola	317,826
Mt. Sinai Medical Center	6,747,952
Bayfront Medical Center	143,754
Sacred Heart Hospital	323,697

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Naples Community Hospital..... 185,954
Baptist Medical Center - Jacksonville..... 250,000

From the funds in Specific Appropriation 191, $1,399,224 from the General Revenue Fund, $5,629,824 from the Grants and Donations Trust Fund and $11,247,208 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 to provide funding for Federally Qualified Health Centers supporting primary care services in medically underserved areas.

From the funds in Specific Appropriation 191, $3,673,291 from the Grants and Donations Trust Fund and $5,877,648 from the Medical Care Trust Fund are provided for county health initiatives emphasizing the expansion of primary care services, and rural health networks. The Department of Health will develop the funding criteria processes, which include assessing statewide benefits, sustainability, access to primary care improvements, ER diversion potential, and health care innovations that are replicable and with a three-year limit on low-income pool funding. 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 191, $1,153,800 from the Grants and Donations Trust Fund and $1,846,200 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals. These payments shall be used, in collaboration with the Department of Health to provide funding for hospitals with hospital based primary care initiatives.

From the funds in Specific Appropriation 191, $96,150 from the Grants and Donations Trust Fund and $153,850 from the Medical Care Trust Fund are provided to make health insurance premium payments for low-income residents enrolled in the Miami-Dade Premium Assistance Program. These funds are contingent on a local government contribution of $96,150.

From the funds in Specific Appropriation 191, $6,102,454, from the Grants and Donations Trust Fund and $9,764,560 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments for premium assistance programs operated by Palm Beach County Health Care District. These funds are contingent on a local government contribution from the Health Care District of Palm Beach County in the amount of $13,367,014.

From the funds in Specific Appropriation 191, $1,220,261 from the General Revenue Fund and $1,952,544 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals. These payments shall be used, in collaboration with the Department of Health to provide funding for hospitals providing poison control programs.

From the funds in Specific Appropriation 191, $461,520 from the General Revenue Fund and $738,480 from the Medical Care Trust Fund are provided to continue the primary care and emergency room diversion program in Manatee, Sarasota and DeSoto counties.

From the funds in Specific Appropriation 191, $384,600 from the General Revenue Fund, $615,400 from the Medical Care Trust Fund are provided for the support of existing and expansion of new primary care residency slots, not funded by Medicare, at existing primary care residency programs in the rural area of AHCA District 1 sub-district 2 as defined in Florida Administrative Code section 59C-2.100 Acute Care Sub districts.

From the funds in Specific Appropriation 191, $4,615,400 from the General Revenue Fund, $5,000,000 from the Grants and Donations Trust Fund and $15,385,640 from the Medical Care Trust Fund are provided to increase access to primary care services in the state to reduce and prevent unnecessary emergency room visits and inpatient hospitalizations. In developing a plan to increase access to primary care services and the funding of these primary care services, the agency shall solicit proposals from general acute care hospitals, county health departments, faith based and community clinics, and Federally Qualified Health Centers in order to establish new primary clinics for the uninsured and underinsured. Of the funds provided, the agency shall use

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$25,001,040, which includes $4,615,400 in general revenue and $5,000,000 in local funding pay for the increased access to primary care services. The use of general revenue is contingent upon an equal amount of local funds being provided in cash. The agency shall award grants to those programs most capable of reducing health spending and improving the health status of uninsured and underinsured persons in their community and meeting the requirements of this section. The programs receiving these grants shall reduce unnecessary emergency room visits and preventable hospitalizations by providing disease management; improving patient compliance; and coordinating services. The agency shall contract with an entity having experience in evaluating the Medicaid program to develop reporting requirements for grant recipients and to measure the effectiveness of the grant-funded programs. The specific reporting requirements shall be incorporated into the competitive solicitation which will also identify the evaluation methodology and establish a time-table for publishing results. The agency shall develop a plan for expanding primary care services by October 1, 2010, and submit the plan to the Legislative Budget Commission for approval before expending any grant funding.

From the funds in Specific Appropriation 191, 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.

From the funds in Specific Appropriation 191, in the event that the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the agency may re-allocate low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal 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 nonfederal share match that their local governments transfer to the state Medicaid program, and for which the provider access system would have otherwise received.

From the funds in Specific Appropriation 191, 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.

Funds provided in Specific Appropriation 191 are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. In the event the nonfederal 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 191 is contingent upon approval from the Centers for Medicare and Medicaid Services.

192 SPECIAL CATEGORIES
FREESTANDING DIALYSIS CENTERS
FROM GENERAL REVENUE FUND 7,776,323
FROM MEDICAL CARE TRUST FUND 12,442,925

Funds in Specific Appropriation 192 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to $100.00 per visit for each dialysis treatment. Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include National Drug Code information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate

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requirements.

Funds in Specific Appropriation 192 reflect an increase of $163,118 from the General Revenue Fund and $261,006 from the Medical Care Trust Fund as a result of increasing the payment to Medicaid freestanding dialysis clinics from $95.00 to $100.00 per visit.

193	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	62,380,500	
	FROM MEDICAL CARE TRUST FUND		99,815,287
194	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	186,883,055	
	FROM GRANTS AND DONATIONS TRUST FUND		136,513,865
	FROM MEDICAL CARE TRUST FUND		685,653,159
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		105,000,000
	FROM REFUGEE ASSISTANCE TRUST FUND .		1,596,221

From the funds in Specific Appropriation 194, $19,653,060 from the Grants and Donations Trust Fund and $31,446,942 from the Medical Care Trust Fund are appropriated so that the agency may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a 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 qualifying hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

Funds in Specific Appropriation 194 reflect a reduction of $20,969,114 from the General Revenue Fund, $33,718,620 from the Medical Care Trust Fund, and $103,655 from the Refugee Assistance Trust Fund as a result of implementing a reduction in outpatient hospital reimbursement rates. The agency shall implement a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals as defined in section 395.602, Florida Statutes are excluded from this reduction.

From the funds in Specific Appropriation 194, $24,789,981 from the Grants and Donations Trust Fund and $39,666,548 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. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in section 13, chapter 2007-326, Laws of Florida.

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From the funds in Specific Appropriation 194, $4,678,761 from the Grants and Donations Trust Fund and $7,486,505 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 or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the outpatient ceilings under this provision of proviso or any other proviso listed, such hospitals 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 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available. Any hospital that was exempt from the outpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meet the 11 percent threshold, because of updated audited DSH data shall remain exempt from the outpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriation 194, $82,610 from the Grants and Donation Trust Fund and $132,185 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 194, $4,609,114 from the Grants and Donations Trust Fund and $7,375,061 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, 2010 or become a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 13, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 194 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.

From the funds in Specific Appropriation 194, $4,702,344 from the Grants and Donations Trust Fund and $7,524,239 from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for the following three categories of hospitals. Of these funds $3,372,389 is provided to the first category of hospitals, which are those hospitals that are part of a system that operate a provider service network in the following manner: $570,978 is for Jackson Memorial Hospital; $458,668 is for hospitals in Broward Health; $840,958 is for hospitals in the Memorial Healthcare System; and $256,166 to Shands Jacksonville and $1,245,619 to Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate. Of the above funds, $4,221,468 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid

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days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate. Of the above funds, $4,632,726 shall be used for the third category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for rural hospitals. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the outpatient rate for those individual hospitals. For this section of proviso the agency shall use the average of 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

From the funds in Specific Appropriation 194, $25,505,883 from the Grants and Donations Trust Fund and $40,812,066 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in ss. 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and designated trauma hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 194, $31,138,172 from the Grants and Donations Trust Fund and $49,824,313 from the Medical Care Trust Fund are provided for hospitals, not previously included in the proviso above, to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of reductions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 194, $5,769,000 from the Grants and Donations Trust Fund and $9,231,000 from the Medical Care Trust Fund are provided for hospitals not previously included in the proviso above to allow for exemptions from outpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buy back of exemptions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 194, the agency shall develop efficiency and outcome measures in order to assess the value for patients including both outcomes and costs over the full cycle of care.

195	SPECIAL CATEGORIES		
	RESPIRATORY THERAPY SERVICES		
	FROM GENERAL REVENUE FUND	7,442,206	
	FROM MEDICAL CARE TRUST FUND		11,910,376

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196	SPECIAL CATEGORIES		
	NURSE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND	3,108,870	
	FROM MEDICAL CARE TRUST FUND		4,974,646
	FROM REFUGEE ASSISTANCE TRUST FUND .		7,499
197	SPECIAL CATEGORIES		
	BIRTHING CENTER SERVICES		
	FROM GENERAL REVENUE FUND	569,999	
	FROM MEDICAL CARE TRUST FUND		912,061
198	SPECIAL CATEGORIES		
	OTHER LAB AND X-RAY SERVICES		
	FROM GENERAL REVENUE FUND	33,500,775	
	FROM MEDICAL CARE TRUST FUND		53,605,457
	FROM REFUGEE ASSISTANCE TRUST FUND .		467,271

From the funds in Specific Appropriation 198, the agency shall continue a program to assess HIV drug resistance for cost-effective management of anti-retroviral drug therapy.

199	SPECIAL CATEGORIES		
	PATIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND	49,979,360	
	FROM MEDICAL CARE TRUST FUND		79,972,174
	FROM REFUGEE ASSISTANCE TRUST FUND .		32,964
200	SPECIAL CATEGORIES		
	PHYSICIAN ASSISTANT SERVICES		
	FROM GENERAL REVENUE FUND	1,348,337	
	FROM MEDICAL CARE TRUST FUND		2,157,781
	FROM REFUGEE ASSISTANCE TRUST FUND .		5,272
201	SPECIAL CATEGORIES		
	PERSONAL CARE SERVICES		
	FROM GENERAL REVENUE FUND	16,599,442	
	FROM MEDICAL CARE TRUST FUND		26,568,420

From the funds in Specific Appropriation 201, the Agency for Health Care Administration shall direct a beneficiary who is medically able to attend a prescribed pediatric extended care facility and whose needs can be met by such center, to a prescribed pediatric extended care facility for patient care within a reasonable distance from the pick-up or drop-off location for the child. Prescribed pediatric extended care facility services must be approved by the Medicaid program or its designee. Private duty nursing may be provided as a wrap around alternative for an individual needing additional services when a prescribed pediatric extended care facility is not available.

202	SPECIAL CATEGORIES		
	PHYSICAL REHABILITATION THERAPY		
	FROM GENERAL REVENUE FUND	3,452,681	
	FROM MEDICAL CARE TRUST FUND		5,525,038
	FROM REFUGEE ASSISTANCE TRUST FUND .		502
203	SPECIAL CATEGORIES		
	PHYSICIAN SERVICES		
	FROM GENERAL REVENUE FUND	275,553,890	
	FROM HEALTH CARE TRUST FUND		19,200,000
	FROM TOBACCO SETTLEMENT TRUST FUND .		50,238,330
	FROM GRANTS AND DONATIONS TRUST FUND		271,824
	FROM MEDICAL CARE TRUST FUND		770,009,809
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		60,800,000
	FROM REFUGEE ASSISTANCE TRUST FUND .		2,591,504

From the funds in Specific Appropriation 203, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

From the funds in Specific Appropriation 203, in conducting the hospitalist program as required in section 409.905 (5) (d), Florida

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Statutes, the agency shall exclude the University of Miami at Cedars Hospital in Miami-Dade County from participation in the program. The agency is authorized to modify appropriate contractual arrangements or federal waivers, as necessary, to effect this exclusion.

From the funds in Specific Appropriation 203, $120,000,000 from the Medical Care Trust Fund is provided for special Medicaid payments for services provided by doctors of medicine and osteopathy employed by or under contract with a medical school in Florida. The expansion of existing programs to increase federal reimbursements through Upper Payment Limit (UPL) provisions, 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 a Florida Title XIX State Plan Amendment or waiver to include additional medical schools in Florida.

From the funds in Specific Appropriation 203, the Agency for Health Care Administrative shall seek federal approval to implement a supplemental payment program for medical school faculty who provide services to Medicaid beneficiaries enrolled in capitated managed care plans so that such payments may be made directly to physicians employed by or under contract with the state's medical schools for costs associated with graduate medical education or their teaching mission. The agency shall amend its Medicaid policies as necessary to implement this program. Nothing herein shall be construed as requiring capitated managed care plans to fund the state share of the supplemental payments.

204 SPECIAL CATEGORIES
PREPAID HEALTH PLANS

FROM GENERAL REVENUE FUND	643,870,927	
FROM HEALTH CARE TRUST FUND		465,600,000
FROM MEDICAL CARE TRUST FUND		1,777,494,977
FROM REFUGEE ASSISTANCE TRUST FUND .		11,120,739

Funds in Specific Appropriation 204 include reductions of $32,869,940 from the General Revenue Fund, $52,595,323 from the Medical Care Trust Fund and $326,647 from the Refugee Assistance Trust Fund to Health Maintenance Organization and Provider Service Network capitation payments as a result of reducing the reimbursement of inpatient and outpatient hospital rates, effective September 1, 2010.

Funds in Specific Appropriation 204, include reductions of $6,441,184 from the General Revenue Fund, $10,307,382 from the Medical Care Trust Fund, and $64,013 from the Refugee Assistance Trust Fund to Health Maintenance Organization and Provider Service Network capitation payments as a result of reducing the Medicaid reimbursement rates for clinic services, effective September 1, 2010.

From the funds appropriated in Specific Appropriation 204, the agency is authorized to provide Medicaid children enrolled in the Medicaid Prepaid Dental Health Program in Miami-Dade County with a choice of at least two licensed managed care dental providers, who shall have experience in providing dental care to Medicaid or Title XXI enrollees, and who meet all standards and requirements of the agency.

Funds in Specific Appropriation 204 reflect an increase of $89,738 from the General Revenue Fund, $143,591 from the Medical Care Trust Fund and $917 from the Refugee Assistance Trust Fund as a result of increasing the payment to Medicaid freestanding dialysis clinics from $95.00 to $100.00 per visit.

Funds in Specific Appropriation 204 reflect a reduction of $8,731,766 from the General Revenue Fund and $13,971,733 from the Medical Care Trust Fund to reflect a policy of increasing the managed care discount factor by 4.5 percent in Agency for Health Care Administration Medicaid Area 11 due to a fraud and abuse adjustment.

From the funds in Specific Appropriation 204, the Agency for Health Care Administration is authorized to contract on a prepaid or fixed-sum basis with appropriately-licensed prepaid dental health plans to provide dental services for a period not to exceed two years. The agency may contract with a single qualified entity to provide dental services on a regional or statewide basis that will result in greater efficiency to

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the state and will facilitate better access and outcomes for Medicaid beneficiaries. On a quarterly basis, the contracting entity shall report Medicaid beneficiary utilization data and encounter data by Current Dental Terminology (CDT) code to the agency. On an annual basis, the agency shall provide a report comparing the data provided by the contracting entity with available data from the pool of Medicaid recipients from previous years to the Speaker of the House, the Senate President and the Governor. The contract(s) shall be awarded through competitive procurement. The agency shall include in the contract(s), a provision that requires no less than 85 percent of the contracting fee be used to directly offset the cost of providing direct patient care as opposed to administrative costs. The agency may include in this contract dental services that are provided through the Medicaid fee for service and managed care delivery system, but shall exclude Miami-Dade County. If the agency includes the managed care delivery system, the agency may also include Medicaid reform counties. The agency is authorized to seek any necessary state plan amendments or federal waivers to implement this provision.

205 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS

FROM GENERAL REVENUE FUND	166,475,189	
FROM HEALTH CARE TRUST FUND		88,000,000
FROM GRANTS AND DONATIONS TRUST FUND		750,743,066
FROM MEDICAL CARE TRUST FUND		292,414,279
FROM REFUGEE ASSISTANCE TRUST FUND .		2,479,628

Funds in Specific Appropriation 205 reflect a reduction of $634,423 from the General Revenue Fund and $1,015,142 from the Medical Care Trust Fund as a result of implementing manufacturer drug rebate collections on injectable drugs reimbursed through physician services claims.

From the funds in Specific Appropriation 205, the agency shall issue an invitation to negotiate with a pharmacy or pharmacies to provide mail order delivery services at no cost to the patients who elect to receive their drugs in this manner for patients with chronic disease states including but not limited to congestive heart failure, diabetes, HIV/AIDS, patients suffering from end stage renal disease or cancer in order to assist Medicaid patients in securing prescriptions and to reduce program costs. The agency shall select patients appropriate for this mail order project and shall limit the number of participants to 20,000 patients statewide.

206 SPECIAL CATEGORIES
MEDICARE PART D PAYMENT

FROM GENERAL REVENUE FUND	427,734,267	

207 SPECIAL CATEGORIES
PRIVATE DUTY NURSING SERVICES

FROM GENERAL REVENUE FUND	72,959,390	
FROM MEDICAL CARE TRUST FUND		117,702,118

Funds in Specific Appropriation 207 reflect a reduction of $2,696,554 from the General Revenue Fund and $3,356,316 from the Medical Care Trust Fund based on limiting private duty nursing services to 12 continuous hours per day, except as determined medically necessary in circumstances where the parent or guardian cannot participate in the care of their child because of physical or mental limitations, which are documented by a licensed physician or for employment purposes, which must be verifiable through the parent or guardian's place of employment.

208 SPECIAL CATEGORIES
RURAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	36,324,986	
FROM MEDICAL CARE TRUST FUND		58,132,256
FROM REFUGEE ASSISTANCE TRUST FUND .		74,920

209 SPECIAL CATEGORIES
SPEECH THERAPY SERVICES

FROM GENERAL REVENUE FUND	17,687,085	
FROM MEDICAL CARE TRUST FUND		28,302,197

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FROM REFUGEE ASSISTANCE TRUST FUND . 2,292

209A SPECIAL CATEGORIES
MEDIPASS SERVICES
FROM GENERAL REVENUE FUND 8,420,455
FROM MEDICAL CARE TRUST FUND 13,474,829
FROM REFUGEE ASSISTANCE TRUST FUND . 51,987

210 SPECIAL CATEGORIES
SUPPLEMENTAL MEDICAL INSURANCE
FROM GENERAL REVENUE FUND 467,992,755
FROM MEDICAL CARE TRUST FUND 707,339,831

211 SPECIAL CATEGORIES
OCCUPATIONAL THERAPY SERVICES
FROM GENERAL REVENUE FUND 11,085,473
FROM MEDICAL CARE TRUST FUND 17,740,041

212 SPECIAL CATEGORIES
CLINIC SERVICES
FROM GENERAL REVENUE FUND 31,916,830
FROM GRANTS AND DONATIONS TRUST
FUND 16,396,032
FROM MEDICAL CARE TRUST FUND 77,307,417
FROM REFUGEE ASSISTANCE TRUST FUND . 591,984

Funds in Specific Appropriation 212 reflect a reduction of $15,421,299 from the General Revenue Fund, $24,676,267 from the Medical Care Trust Fund, and $281,534 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for county health department rates. The agency shall implement a recurring methodology in the Title XIX County Health Department Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

From the funds in Specific Appropriation 212, $16,396,032 from the Grants and Donations Trust Fund and $26,235,356 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008 and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the authority appropriated in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

213 SPECIAL CATEGORIES
MEDICAID SCHOOL REFINANCING
FROM MEDICAL CARE TRUST FUND 97,569,420

TOTAL: MEDICAID SERVICES TO INDIVIDUALS
FROM GENERAL REVENUE FUND 3,429,810,111
FROM TRUST FUNDS 11,919,405,643

TOTAL ALL FUNDS 15,349,215,754

MEDICAID LONG TERM CARE

214 SPECIAL CATEGORIES
ASSISTIVE CARE SERVICES
FROM MEDICAL CARE TRUST FUND 26,179,861

Funds in Specific Appropriation 214 are provided to implement Medicaid coverage for Assistive Care Services and are contingent on the availability of state match being provided in Specific Appropriation 373.

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215 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES
FROM GENERAL REVENUE FUND 8,822,447
FROM MEDICAL CARE TRUST FUND 991,654,196

Funds in Specific Appropriations 215 and 223 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 215, the Agency for Health Care Administration, in cooperation with the Department of Children and Families (DCF), is authorized to seek federal approval to amend the Assisted Living for the Elderly (ALE) Waiver to allow for enrollment of those between the ages of 18 and 59 in addition to the currently eligible enrollees. The Department of Children and Families is authorized to use funds in Specific Appropriation line item 306 to serve adults with disabilities ages 18 to 59 under the Assisted Living for the Elderly (ALE) Waiver.

216 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM MEDICAL CARE TRUST FUND 36,238,912

217 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY
RETARDED - SUNLAND CENTER
FROM MEDICAL CARE TRUST FUND 98,419,471

218 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/
DEVELOPMENTALLY DISABLED COMMUNITY
FROM GENERAL REVENUE FUND 89,972,148
FROM GRANTS AND DONATIONS TRUST
FUND 11,563,682
FROM MEDICAL CARE TRUST FUND 162,467,889

From the funds in Specific Appropriation 218, $11,563,682 from the Grants and Donations Trust Fund and $18,503,094 from the Medical Care Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008 and are contingent on the nonfederal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 218, the agency shall develop efficiency and outcome measures in order to assess the value for patients including both outcomes and costs over the full cycle of care.

219 SPECIAL CATEGORIES
NURSING HOME CARE
FROM GENERAL REVENUE FUND 445,015,423
FROM HEALTH CARE TRUST FUND 270,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 342,916,617
FROM MEDICAL CARE TRUST FUND 1,727,867,699

From the funds in Specific Appropriation 219, $5,199,157 from the Grants and Donations Trust Fund and $8,319,193 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 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 these provisions, 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. The agency is authorized to seek federal Medicaid waivers as

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necessary to implement this provision.

Funds in Specific Appropriation 219 reflect a reduction of $76,690,037 from the General Revenue Fund and $122,712,036 from the Medical Care Trust Fund as a result of modifying the reimbursement for nursing home rates. The agency shall implement a recurring methodology in the Title XIX Nursing Home Reimbursement Plan to reduce nursing home rates to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

From the funds in Specific Appropriation 219, the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, the Department of Health, and the Department of Children and Families, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 310 Home and Community Based Services Waiver, Specific Appropriation 395 Home and Community Based Services Waiver, Specific Appropriation 396 Assisted Living Facility Waiver, Specific Appropriation 401 Capitated Nursing Home Diversion Waiver, and Specific Appropriation 563 Brain and Spinal Cord Home and Community Based Services Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

Funds in Specific Appropriation 219 reflect the transfer of $3,257,203 from the General Revenue Fund and $5,211,863 from the Medical Care Trust Fund for the implementation of the Florida Nursing Home Transition Plan.

From the funds in Specific Appropriation 219, $335,935,864 from the Grants and Donations Trust Fund and $537,532,321 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the non federal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 219, the agency shall develop efficiency and outcome measures in order to assess the value for patients including both outcomes and costs over the full cycle of care.

220 SPECIAL CATEGORIES
STATE MENTAL HEALTH HOSPITAL PROGRAM
FROM MEDICAL CARE TRUST FUND 9,804,952

221 SPECIAL CATEGORIES
MENTAL HEALTH HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 67,696,826

222 SPECIAL CATEGORIES
T.B. HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 2,444,444

223 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM MEDICAL CARE TRUST FUND 347,885,072

TOTAL: MEDICAID LONG TERM CARE
FROM GENERAL REVENUE FUND 543,810,018
FROM TRUST FUNDS 4,095,139,621

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TOTAL ALL FUNDS 4,638,949,639

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE 26,488,221

224 SALARIES AND BENEFITS POSITIONS 615.00
FROM HEALTH CARE TRUST FUND 35,643,726

225 OTHER PERSONAL SERVICES
FROM HEALTH CARE TRUST FUND 256,374

226 EXPENSES
FROM HEALTH CARE TRUST FUND 8,093,308

227 OPERATING CAPITAL OUTLAY
FROM HEALTH CARE TRUST FUND 87,054

228 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM HEALTH CARE TRUST FUND 387,345

229 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HEALTH CARE TRUST FUND 1,917,318
FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND . . 1,000,000

230 SPECIAL CATEGORIES
EMERGENCY ALTERNATIVE PLACEMENT
FROM HEALTH CARE TRUST FUND 806,629

231 SPECIAL CATEGORIES
MEDICAID SURVEILLANCE
FROM HEALTH CARE TRUST FUND 111,820

232 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HEALTH CARE TRUST FUND 452,002

233 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HEALTH CARE TRUST FUND 252,390

TOTAL: HEALTH CARE REGULATION
FROM TRUST FUNDS 49,007,966

TOTAL POSITIONS 615.00
TOTAL ALL FUNDS 49,007,966

TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION
FROM GENERAL REVENUE FUND 4,096,899,526
FROM TRUST FUNDS 16,705,055,150

TOTAL POSITIONS 1,660.50
TOTAL ALL FUNDS 20,801,954,676
TOTAL APPROVED SALARY RATE 72,087,356

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 11,115,190

234 SALARIES AND BENEFITS POSITIONS 322.50
FROM GENERAL REVENUE FUND 8,399,404
FROM OPERATIONS AND MAINTENANCE

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TRUST FUND		6,322,391
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		177,595
235 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,385,519	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,953,004
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		480,150
236 EXPENSES		
FROM GENERAL REVENUE FUND	955,653	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,116,870
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		193,061
237 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	9,438	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,334
238 SPECIAL CATEGORIES		
GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
FROM GENERAL REVENUE FUND	3,980,000	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,200,000
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		13,856,771

Funds in Specific Appropriation 238 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

239 SPECIAL CATEGORIES		
ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED		
FROM GENERAL REVENUE FUND	4,000,000	
240 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	98,030	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		23,875
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		36,717
241 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	765,985	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		300,000

From the funds in Specific Appropriation 241, $300,000 in nonrecurring funds from the Operations and Maintenance Trust Fund is provided for the Hillsborough Achievement and Resource Center, Hillsborough County.

242 SPECIAL CATEGORIES		
HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	309,880,161	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		495,946,457

Funds from Specific Appropriation 242 shall not be used for administrative costs.

Funds in Specific Appropriation 242 for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

Funds in Specific Appropriation 242 reflect a transfer of $1,182,645 from the General Revenue Fund and $1,892,355 from the Operations and Maintenance Trust Fund to the Agency for Health Care Administration to provide disposable incontinence products to children ages 4 through 20 as a Medicaid state plan service rather than a Home and Community Based Waiver service, effective October 1, 2010.

Funds in Specific Appropriation 242 reflect a recurring reduction of $1,613,921 from the General Revenue Fund and $2,582,441 from the Operations and Maintenance Trust Fund as a result of reducing expenditure caps in Tiers 2, 3, and 4 by 2.5 percent. The agency shall amend cost plans and rules as necessary to achieve this recurring reduction.

Funds in Specific Appropriation 242 reflect a reduction of $535,804 from the General Revenue Fund and $857,341 from the Operations and Maintenance Trust Fund as a result of limiting annual expenditures under tier one to not exceed $150,000 per client each year, effective January 1, 2011. Clients in tier one with a documented medical necessity requiring intensive behavioral residential habilitation services, intensive behavioral residential habilitation services with medical needs, or special medical care, as provided in the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, shall not be subject to the $150,000 limit on annual expenditures.

Funds in Specific Appropriation 242 reflect a reduction of $6,465,891 from the General Revenue Fund and $10,346,098 from the Operations and Maintenance Trust Fund as a result of reducing provider rates by 2.5 percent, effective July 1, 2010. Personal Care Assistance, transportation, waiver support coordination, durable medical equipment, consumable medical supplies, and environmental and home accessibility services are specifically excluded from this reduction target. The agency shall amend provider contracts, cost plans and rules as necessary to achieve this recurring reduction.

243 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	279,467	
244 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	84,664	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		64,289
TOTAL: HOME AND COMMUNITY SERVICES		
FROM GENERAL REVENUE FUND	330,838,321	
FROM TRUST FUNDS		521,697,514
TOTAL POSITIONS	322.50	
TOTAL ALL FUNDS		852,535,835

PROGRAM MANAGEMENT AND COMPLIANCE

From the funds in Specific Appropriations 245 through 258, by September 1, 2010, the Agency for Persons with Disabilities shall execute service level agreements, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC) and the Southwood Shared Resource Center (SSRC). If the agency is unable to complete and execute a service level agreement by that date, the agency shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the agency's plan and schedule for resolving those issues.

APPROVED SALARY RATE	14,972,761	
245 SALARIES AND BENEFITS	POSITIONS	333.00

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FROM GENERAL REVENUE FUND	11,545,208	
FROM ADMINISTRATIVE TRUST FUND . . .		184,719
FROM FEDERAL GRANTS TRUST FUND . . .		64,896
FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,784,569
246 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	160,924	
FROM FEDERAL GRANTS TRUST FUND . . .		447,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		149,584
247 EXPENSES		
FROM GENERAL REVENUE FUND	1,447,006	
FROM ADMINISTRATIVE TRUST FUND . . .		284
FROM FEDERAL GRANTS TRUST FUND . . .		130,181
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,508,955
248 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	27,075	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,800
249 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	382,007	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,307
250 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	180,227	
FROM ADMINISTRATIVE TRUST FUND . . .		812
FROM OPERATIONS AND MAINTENANCE TRUST FUND		65,203
251 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,059,077	
FROM FEDERAL GRANTS TRUST FUND . . .		429,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		910,884
252 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	97,456	
253 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	214,434	
254 SPECIAL CATEGORIES		
HOME AND COMMUNITY SERVICES ADMINISTRATION		
FROM GENERAL REVENUE FUND	3,054,145	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,454,868
255 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	90,473	
FROM ADMINISTRATIVE TRUST FUND . . .		2,066
FROM OPERATIONS AND MAINTENANCE TRUST FUND		77,501
256 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	306,287	
257 DATA PROCESSING SERVICES		

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SOUTHWOOD SHARED RESOURCE CENTER		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		320,404
258 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	1,346,778	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		41,303
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	19,911,097	
FROM TRUST FUNDS		16,582,336
TOTAL POSITIONS	333.00	
TOTAL ALL FUNDS		36,493,433

DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES

The Agency for Persons with Disabilities shall purchase pharmaceuticals through the Department of Health's pharmaceutical contract, thereby enabling the agency to obtain pharmaceuticals at reduced prices. Additionally, the Department of Health and the agency shall determine the feasibility of consolidating drug dispensing and repackaging services under the Department of Health's central pharmacy.

APPROVED SALARY RATE 85,053,227

259 SALARIES AND BENEFITS POSITIONS 2,422.50		
FROM GENERAL REVENUE FUND	51,401,300	
FROM ADMINISTRATIVE TRUST FUND . . .		41,398
FROM OPERATIONS AND MAINTENANCE TRUST FUND		49,025,852
260 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	892,037	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,084,241
261 EXPENSES		
FROM GENERAL REVENUE FUND	3,496,569	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,954,210
262 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	178,453	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		178,392
263 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	1,090,578	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,426,038
264 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,568,242	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,782,450
265 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	2,003,883	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,864,373
266 SPECIAL CATEGORIES		
PRESCRIBED MEDICINE/DRUGS		
FROM GENERAL REVENUE FUND	191,401	
267 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,310,370	

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,679,980
268 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	19,532	
269 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	707,449	
FROM ADMINISTRATIVE TRUST FUND . . .		138
FROM OPERATIONS AND MAINTENANCE TRUST FUND		574,375
TOTAL: DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES		
FROM GENERAL REVENUE FUND	63,859,814	
FROM TRUST FUNDS		60,611,447
TOTAL POSITIONS	2,422.50	
TOTAL ALL FUNDS		124,471,261
TOTAL: AGENCY FOR PERSONS WITH DISABILITIES		
FROM GENERAL REVENUE FUND	414,609,232	
FROM TRUST FUNDS		598,891,297
TOTAL POSITIONS	3,078.00	
TOTAL ALL FUNDS		1,013,500,529
TOTAL APPROVED SALARY RATE	111,141,178	

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 43,119,006

270 SALARIES AND BENEFITS POSITIONS 857.00		
FROM GENERAL REVENUE FUND	28,378,954	
FROM ADMINISTRATIVE TRUST FUND . . .		17,973,195
FROM FEDERAL GRANTS TRUST FUND . . .		1,206,154
FROM WELFARE TRANSITION TRUST FUND .		410,203
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,749,157
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		18,380
271 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	355,408	
FROM ADMINISTRATIVE TRUST FUND . . .		50,784
FROM FEDERAL GRANTS TRUST FUND . . .		29,411
FROM WELFARE TRANSITION TRUST FUND .		154
272 EXPENSES		
FROM GENERAL REVENUE FUND	5,737,322	
FROM ADMINISTRATIVE TRUST FUND . . .		1,071,409
FROM FEDERAL GRANTS TRUST FUND . . .		253,570
FROM WELFARE TRANSITION TRUST FUND .		56,732
FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,847
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,726
273 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	36,622	
FROM ADMINISTRATIVE TRUST FUND . . .		113,290
274 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		20,000

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

275 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	211,382	
276 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	564,078	
FROM ADMINISTRATIVE TRUST FUND . . .		311,178
FROM FEDERAL GRANTS TRUST FUND . . .		10,831
FROM WELFARE TRANSITION TRUST FUND .		3,341
FROM OPERATIONS AND MAINTENANCE TRUST FUND		405,883
277 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,126,862	
FROM ADMINISTRATIVE TRUST FUND . . .		197,378
278 SPECIAL CATEGORIES		
STATE INSTITUTIONAL CLAIMS		
FROM GENERAL REVENUE FUND	40,498	
279 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM GENERAL REVENUE FUND	6,520	
FROM ADMINISTRATIVE TRUST FUND . . .		2,272
280 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	4,563,583	
FROM FEDERAL GRANTS TRUST FUND . . .		881,111
281 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	11,463,166	
FROM ADMINISTRATIVE TRUST FUND . . .		3,300,419
FROM FEDERAL GRANTS TRUST FUND . . .		9,037,579
FROM WELFARE TRANSITION TRUST FUND .		158,608
FROM OPERATIONS AND MAINTENANCE TRUST FUND		22,940
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		67,751
282 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	4,816	
FROM FEDERAL GRANTS TRUST FUND . . .		19,264
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		8,080
283 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	10,580,275	
FROM ADMINISTRATIVE TRUST FUND . . .		1,339,185
FROM FEDERAL GRANTS TRUST FUND . . .		7,996,179
FROM WELFARE TRANSITION TRUST FUND .		5,003
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,003
283A DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER (NSRC) DEPRECIATION FEDERAL SHARE BILLINGS		
FROM FEDERAL GRANTS TRUST FUND . . .		363,236
284 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA		
FROM FEDERAL GRANTS TRUST FUND . . .		950,000
285 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
RELIEF - MARISSA AMORA		
FROM FEDERAL GRANTS TRUST FUND . . .		1,700,000

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION
286 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS
RELIEF/KIMBERLY GODWIN
FROM ADMINISTRATIVE TRUST FUND . . . 760,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 63,069,486
FROM TRUST FUNDS 57,572,253

TOTAL POSITIONS 857.00
TOTAL ALL FUNDS 120,641,739

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 288 through 293 the Department of Children and Family Services shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means for the relocation and consolidation of its computing services and associated resources, located at the Winewood Office Complex, to the Northwood Share Resource Center (NSRC) by July 1, 2011, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

From the funds in Specific Appropriations 288 through 293, the department shall work with the Agency for Enterprise Information Technology (AEIT) and the NSRC in developing the plan that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation.

From the funds in Specific Appropriations 288 through 293, by September 1, 2010, the department shall execute service level agreements, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the NSRC and the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 8,909,468

288 SALARIES AND BENEFITS POSITIONS 162.00
FROM WORKING CAPITAL TRUST FUND . . 11,491,160

289 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 463,333

290 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 3,469,588

291 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 48,898

292 SPECIAL CATEGORIES
COMPUTER RELATED EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 23,397,452

293 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 108,129

293A QUALIFIED EXPENDITURE CATEGORY
QUALIFIED EXPENDITURE - FLORIDA SACWIS
SOLUTIONS
FROM WORKING CAPITAL TRUST FUND . . 2,186,544

From the funds in Specific Appropriation 293A, the Department of Children and Family Services shall establish the necessary user accounts and access privileges required to enable authorized personnel in the Children's Legal Services program and the judicial branch to use Florida Safe Families Network system within 12 months of the system completing its federal certification requirements. System users shall be responsible for furnishing any required personal computer hardware and software and telecommunications connectivity required for system access. The department is authorized to recover any additional costs associated with providing and maintaining such access, contingent upon receipt of required federal approvals. The department is responsible for ensuring the network maintains compliance with all federal requirements for Statewide Automated Child Welfare Information Systems.

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 41,165,104

TOTAL POSITIONS 162.00
TOTAL ALL FUNDS 41,165,104

NORTHWOOD SHARED RESOURCE CENTER (NSRC)

APPROVED SALARY RATE 4,930,959

294 SALARIES AND BENEFITS POSITIONS 90.00
FROM WORKING CAPITAL TRUST FUND . . 6,610,747

From the funds in Specific Appropriations 294 through 299A, the Northwood Shared Resource Center (NSRC) shall develop a transition plan for absorbing the transfer of customer agency data center resources to the center based upon the timetables for transition as provided in the transferring agency's data center consolidation transition plan. The plan shall include Fiscal Year 2011-2012 legislative budget request adjustments submitted from each customer agency transferring resources, as well as budget adjustments required by the NSRC to accomplish the efficient transfer of the data center service resources. The plan shall describe and make recommendations relating to issues which must be resolved to accomplish the transfer. The plan shall be submitted to the Agency for Enterprise Information Technology (AEIT), Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means by November 15, 2010.

From the funds in Specific Appropriations 294 through 298A, the NSRC, in coordination with the AEIT, shall work with the agencies that are required to develop and submit data center consolidation transition plans to transfer computing resources to the state primary data center, pursuant to section 282.201(2)(d)1.e.,Florida Statutes.

From the funds in Specific Appropriations 294 through 298A, the NSRC shall also work with the AEIT and the agencies required to develop comparative cost benefit analyses for the purpose of determining the most cost effective center to provide their data center service functions.

From the funds in Specific Appropriations 294 through 298A, in filling positions, the NSRC is to give priority consideration to state employees whose jobs have been adversely affected by workforce reductions in the agencies from where agency data center services are being transferred. Every reasonable effort is to be made to identify vacant positions and to match the adversely affected employees' skills with the requirements of available vacant positions in the data center.

From the funds in Specific Appropriations 294 through 298A, beginning July 1, 2010, the Department of Juvenile Justice, Department of Business and Professional Regulation and the Department of Corrections shall each have one trustee with one vote each on the NSRC Board of Trustees in Fiscal Year 2010- 11 to facilitate proposed data center consolidations during Fiscal Years 2010-2011 and 2011-2012.

295 OTHER PERSONAL SERVICES

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

	FROM WORKING CAPITAL TRUST FUND . .		198,571
296	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND . .		2,273,824
297	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND . .		24,084
298	SPECIAL CATEGORIES		
	COMPUTER RELATED EXPENSES		
	FROM WORKING CAPITAL TRUST FUND . .		18,490,228
298A	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKING CAPITAL TRUST FUND . .		428,828
298B	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM WORKING CAPITAL TRUST FUND . .		53,257
299	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM WORKING CAPITAL TRUST FUND . .		1,596
299A	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER (NSRC) DEPRECIATION FEDERAL SHARE BILLINGS		
	FROM WORKING CAPITAL TRUST FUND . .		569,034
TOTAL:	NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
	FROM TRUST FUNDS		28,650,169
	TOTAL POSITIONS	90.00	
	TOTAL ALL FUNDS		28,650,169

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

FAMILY SAFETY AND PRESERVATION SERVICES

APPROVED SALARY RATE 132,680,779

300	SALARIES AND BENEFITS POSITIONS 3,314.25		
	FROM GENERAL REVENUE FUND	72,051,972	
	FROM DOMESTIC VIOLENCE TRUST FUND .		390,550
	FROM FEDERAL GRANTS TRUST FUND . . .		26,790,770
	FROM WELFARE TRANSITION TRUST FUND .		58,336,818
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		28,193,534
301	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,070,523	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,339,605
	FROM WELFARE TRANSITION TRUST FUND .		649,317
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		692,093
302	EXPENSES		
	FROM GENERAL REVENUE FUND	12,086,329	
	FROM CHILD WELFARE TRAINING TRUST FUND		4,092
	FROM DOMESTIC VIOLENCE TRUST FUND .		85,582
	FROM FEDERAL GRANTS TRUST FUND . . .		5,159,463
	FROM WELFARE TRANSITION TRUST FUND .		8,777,781
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		49,944
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,226,760
303	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	22,840	

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

	FROM FEDERAL GRANTS TRUST FUND . . .		6,009
	FROM WELFARE TRANSITION TRUST FUND .		11,216
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		9,365
305	SPECIAL CATEGORIES		
	HOME CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	2,219,860	
306	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND	2,041,955	
307	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,968,590	
	FROM CHILD WELFARE TRAINING TRUST FUND		51,024
	FROM DOMESTIC VIOLENCE TRUST FUND .		25,599
	FROM FEDERAL GRANTS TRUST FUND . . .		1,425,784
	FROM WELFARE TRANSITION TRUST FUND .		1,097,894
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,000
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		818,468
308	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS		
	FROM GENERAL REVENUE FUND	20,298,070	
	FROM TOBACCO SETTLEMENT TRUST FUND .		7,587,706
	FROM WELFARE TRANSITION TRUST FUND .		9,701,918
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		9,903,460

The funds in Specific Appropriation 308 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 to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:

Manatee County Sheriff.....	3,410,532
Pasco County Sheriff.....	4,591,619
Pinellas County Sheriff.....	10,040,024
Broward County Sheriff.....	12,565,620
Hillsborough County Sheriff.....	12,054,683
Seminole County Sheriff.....	3,323,114
Citrus County Sheriff.....	1,505,562

309	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM		
	FROM GENERAL REVENUE FUND	3,857,260	
	FROM DOMESTIC VIOLENCE TRUST FUND .		6,603,954
	FROM FEDERAL GRANTS TRUST FUND . . .		9,779,218
	FROM WELFARE TRANSITION TRUST FUND .		7,750,000

From the funds in Specific Appropriation 309, $3,762,050 from the General Revenue Fund is provided to the Florida Coalition Against Domestic Violence to distribute to Florida's certified domestic violence centers.

310	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	4,984,422	
	FROM FEDERAL GRANTS TRUST FUND . . .		7,975,594
311	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION		
	FROM GENERAL REVENUE FUND	11,618,126	

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

FROM TOBACCO SETTLEMENT TRUST FUND .		143,547
FROM FEDERAL GRANTS TRUST FUND . . .		574,189
FROM WELFARE TRANSITION TRUST FUND .		5,778,467

312 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD PROTECTION

FROM GENERAL REVENUE FUND	7,816,099	
FROM CHILD WELFARE TRAINING TRUST FUND		284,722
FROM TOBACCO SETTLEMENT TRUST FUND .		3,537,155
FROM FEDERAL GRANTS TRUST FUND . . .		20,044,574
FROM GRANTS AND DONATIONS TRUST FUND		130,000
FROM WELFARE TRANSITION TRUST FUND .		2,269,447
FROM OPERATIONS AND MAINTENANCE TRUST FUND		530,696
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,784,236

From the funds in Specific Appropriation 312, the nonrecurring sum of $500,000 is appropriated from the Welfare Transition Trust Fund for the Marriage Education Grant Program. These funds shall be used to provide grants to organizations that provide programs that prepare for, strengthen, and restore healthy marriages in amounts not to exceed $50,000 per organization. In awarding these grants, preference shall be given to programs that are research-based and skills-based and have or include certifications. Grant recipients may use grant funds for providing direct services to participants, enlarging program capacity, or paying other program and operational expenses, including provider training and technical assistance. The Department of Children and Family Services shall use no more than 5 percent of the funds appropriated for this program to contract with a Florida public college or university to establish a process for evaluating the programs receiving grants through these appropriations. Evaluation criteria shall be based on best practices and program outcomes.

From the funds in Specific Appropriation 312, the recurring sum of $250,000 from the General Revenue Fund is appropriated for the Salvation Army Children's Village.

313 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	7,683,358	
FROM FEDERAL GRANTS TRUST FUND . . .		24,244
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		6,359

314 SPECIAL CATEGORIES
TEMPORARY EMERGENCY SHELTER SERVICES

FROM GENERAL REVENUE FUND	203,527	

315 SPECIAL CATEGORIES
GRANTS AND AIDS - FAMILY FOSTER CARE

FROM GENERAL REVENUE FUND	4,000,000	

From the funds in Specific Appropriation 315, the department shall transfer $4,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds.

316 SPECIAL CATEGORIES
GRANTS AND AIDS - RESIDENTIAL GROUP CARE

FROM GENERAL REVENUE FUND	219,241	
FROM TOBACCO SETTLEMENT TRUST FUND .		1,145,294
FROM OPERATIONS AND MAINTENANCE TRUST FUND		115,836
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		361,640

317 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY SHELTER CARE

FROM GENERAL REVENUE FUND	68,924	
FROM TOBACCO SETTLEMENT TRUST FUND .		400,009
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		376,065

319 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS

FROM GENERAL REVENUE FUND	5,703	
FROM FEDERAL GRANTS TRUST FUND . . .		4,096
FROM WELFARE TRANSITION TRUST FUND .		987
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,307

320 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY BASED CARE
FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES

FROM GENERAL REVENUE FUND	249,308,982	
FROM CHILD WELFARE TRAINING TRUST FUND		2,876,360
FROM TOBACCO SETTLEMENT TRUST FUND .		116,374,401
FROM FEDERAL GRANTS TRUST FUND . . .		260,949,329
FROM GRANTS AND DONATIONS TRUST FUND		400,000
FROM WELFARE TRANSITION TRUST FUND .		60,891,546
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,979,209
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		41,078,586

321 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY BASED CARE - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM FEDERAL GRANTS TRUST FUND . . .		10,315,978

From the funds in Specific Appropriation 321, the nonrecurring sum of $10,315,978 is appropriated from the Federal Grants Trust Fund to achieve a more equitable funding distribution among community based care lead agencies. These funds shall be distributed to the lead agencies with funding allocations, excluding Independent Living and Maintenance Adoption Subsidies, that fall below their fair share, using a distribution formula that is based on the following four weighted factors: number of children in poverty (30 percent); number of reports to the Abuse Hotline that are either referred for investigation or whose findings have been verified (30 percent); number of children in out-of-home care (30 percent); contribution to a safe reduction in out-of-home care (10 percent). Community based care lead agencies not meeting the criteria for receiving additional equity funds shall receive no additional funding from this appropriation increase.

322 SPECIAL CATEGORIES
GRANTS AND AIDS - VIOLENCE AGAINST WOMEN ACT - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM FEDERAL GRANTS TRUST FUND . . .		2,486,729

From the funds provided in Specific Appropriation 322, $2,486,729 from the Federal Grants Trust Fund is provided for the Domestic Violence Program from increased federal funds available from the Violence Against Women Act authorized by the American Recovery and Reinvestment Act of 2009. The department is authorized to administer the distribution of these funds through a grant application and award process.

TOTAL: FAMILY SAFETY AND PRESERVATION SERVICES

FROM GENERAL REVENUE FUND	401,525,781	
FROM TRUST FUNDS		740,759,526
TOTAL POSITIONS	3,314.25	
TOTAL ALL FUNDS		1,142,285,307

PROGRAM: MENTAL HEALTH PROGRAM

MENTAL HEALTH SERVICES

APPROVED SALARY RATE 144,473,411

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

324	SALARIES AND BENEFITS POSITIONS 3,998.00		
	FROM GENERAL REVENUE FUND	134,325,203	
	FROM ADMINISTRATIVE TRUST FUND . . .		9,937
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		251,462
	FROM FEDERAL GRANTS TRUST FUND . . .		52,213,232
	FROM WELFARE TRANSITION TRUST FUND .		138,955
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,804,567
325	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,225,294	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		16,000
	FROM FEDERAL GRANTS TRUST FUND . . .		580,727
	FROM WELFARE TRANSITION TRUST FUND .		116,979
326	EXPENSES		
	FROM GENERAL REVENUE FUND	12,739,059	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		477,670
	FROM FEDERAL GRANTS TRUST FUND . . .		964,140
	FROM WELFARE TRANSITION TRUST FUND .		67,217
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		416,364
327	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	387,630	
	FROM FEDERAL GRANTS TRUST FUND . . .		377,471
328	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	3,286,854	
329	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PUBLIC SAFETY, MENTAL HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING GRANT PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,000,000
330	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	26,005,582	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		8,211,470
	FROM FEDERAL GRANTS TRUST FUND . . .		13,098,294
331	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	177,767,025	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		17,920,154
	FROM TOBACCO SETTLEMENT TRUST FUND .		206,775
	FROM FEDERAL GRANTS TRUST FUND . . .		20,361,011
	FROM WELFARE TRANSITION TRUST FUND .		7,357,585
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		450,002
332	SPECIAL CATEGORIES		
	GRANTS AND AIDS - BAKER ACT SERVICES		
	FROM GENERAL REVENUE FUND	62,333,949	
332A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OUTPATIENT BAKER ACT PILOT PROGRAM		
	FROM GENERAL REVENUE FUND	500,000	
333	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,751,270	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		190,879
	FROM FEDERAL GRANTS TRUST FUND . . .		1,114,239

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

	FROM WELFARE TRANSITION TRUST FUND .		2,000
334	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	33,283,380	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		34,349
	FROM FEDERAL GRANTS TRUST FUND . . .		4,334,196
	FROM WELFARE TRANSITION TRUST FUND .		86,286

From the funds in Specific Appropriation 334, the department may pay the contracted provider of operations at the Florida Civil Commitment Center (FCCC) a fixed-price unit rate of $55.00 per bed day based on the midnight census to cover housing costs provided by the DeSoto County Sheriff. Eligible payments are for residents of FCCC that are in the the DeSoto County Sheriff's custody after being arrested and charged for having committed a crime at the FCCC facility.

335	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	89,127,956	
	FROM FEDERAL GRANTS TRUST FUND . . .		13,467,628
336	SPECIAL CATEGORIES		
	PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN		
	FROM GENERAL REVENUE FUND	8,911,958	
337	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM		
	FROM GENERAL REVENUE FUND	6,780,276	
339	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	8,672,838	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,900,961
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		876,992
340	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH		
	FROM GENERAL REVENUE FUND	17,894,311	

From the funds in Specific Appropriation 340, the department may transfer up to $16,607,860 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The department must transfer funds up to this amount to cover all services provided to Medicaid eligible children through the Statewide Inpatient Psychiatric Program and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

341	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	5,154,219	
342	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	90,969	
343	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S BAKER ACT SERVICES		
	FROM GENERAL REVENUE FUND	14,021,460	
344	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	716,733	
	FROM ALCOHOL, DRUG ABUSE AND		

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MENTAL HEALTH TRUST FUND		1,129
FROM WELFARE TRANSITION TRUST FUND .		849
345 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	34,260	
FROM FEDERAL GRANTS TRUST FUND . . .		398
FROM WELFARE TRANSITION TRUST FUND .		401
TOTAL: MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	609,010,226	
FROM TRUST FUNDS		155,050,319
TOTAL POSITIONS	3,998.00	
TOTAL ALL FUNDS		764,060,545

PROGRAM: SUBSTANCE ABUSE PROGRAM

SUBSTANCE ABUSE SERVICES

APPROVED SALARY RATE 3,668,623

346 SALARIES AND BENEFITS POSITIONS 78.00		
FROM GENERAL REVENUE FUND	2,541,053	
FROM ADMINISTRATIVE TRUST FUND . . .		7,504
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		1,666,783
FROM FEDERAL GRANTS TRUST FUND . . .		574,871
FROM GRANTS AND DONATIONS TRUST FUND		11,680
FROM WELFARE TRANSITION TRUST FUND .		176,840
347 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	314,204	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		534,100
FROM FEDERAL GRANTS TRUST FUND . . .		546,935
FROM OPERATIONS AND MAINTENANCE TRUST FUND		314
348 EXPENSES		
FROM GENERAL REVENUE FUND	241,786	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		363,637
FROM FEDERAL GRANTS TRUST FUND . . .		312,788
FROM WELFARE TRANSITION TRUST FUND .		28,420
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,925
349 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	318	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		334
FROM FEDERAL GRANTS TRUST FUND . . .		333
350 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	39,984,310	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		28,578,869
FROM TOBACCO SETTLEMENT TRUST FUND .		2,860,907
FROM FEDERAL GRANTS TRUST FUND . . .		211,066
FROM WELFARE TRANSITION TRUST FUND .		640,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		84,918
351 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	37,111,921	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		72,504,247
FROM FEDERAL GRANTS TRUST FUND . . .		12,393,874
FROM WELFARE TRANSITION TRUST FUND .		5,571,170
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,907,777
352 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,476,460	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		397,623
FROM FEDERAL GRANTS TRUST FUND . . .		197,210
FROM OPERATIONS AND MAINTENANCE TRUST FUND		37,599
353 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	67,863	
FROM FEDERAL GRANTS TRUST FUND . . .		4,268,535
354 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	43,540	
FROM FEDERAL GRANTS TRUST FUND . . .		6,906
355 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,801	
TOTAL: SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	81,785,256	
FROM TRUST FUNDS		133,887,165
TOTAL POSITIONS	78.00	
TOTAL ALL FUNDS		215,672,421

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

ECONOMIC SELF SUFFICIENCY SERVICES

APPROVED SALARY RATE 162,379,411

356 SALARIES AND BENEFITS POSITIONS 4,687.50		
FROM GENERAL REVENUE FUND	107,643,588	
FROM FEDERAL GRANTS TRUST FUND . . .		86,774,308
FROM GRANTS AND DONATIONS TRUST FUND		2,668,413
FROM WELFARE TRANSITION TRUST FUND .		7,365,983
357 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,447,103	
FROM FEDERAL GRANTS TRUST FUND . . .		8,941,501
FROM GRANTS AND DONATIONS TRUST FUND		1,243,860
FROM WELFARE TRANSITION TRUST FUND .		751,765
358 EXPENSES		
FROM GENERAL REVENUE FUND	19,726,841	
FROM FEDERAL GRANTS TRUST FUND . . .		19,927,133
FROM GRANTS AND DONATIONS TRUST FUND		27,955
FROM WELFARE TRANSITION TRUST FUND .		1,596,938
359 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,393	
FROM FEDERAL GRANTS TRUST FUND . . .		23,574
FROM WELFARE TRANSITION TRUST FUND .		4,283
360 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHALLENGE GRANTS		
FROM GENERAL REVENUE FUND	2,031,354	

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361 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL EMERGENCY
SHELTER GRANT PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 3,034,474
FROM GRANTS AND DONATIONS TRUST
FUND 787,953
FROM WELFARE TRANSITION TRUST FUND . 787,953

From the funds in Specific Appropriation 361, the Department of Children and Families may accept and administer funding allocated to the State of Florida by the U.S. Department of Urban Development (HUD) for the Emergency Shelter Grant (ESG) Program. The ESG Program will be administered by the Department of Children and Families in accordance with HUD rules and regulations. This funding may be granted by the state to local governments in the state, which may include cities and counties that are ESG grantees, or to private nonprofit organizations, if the local government where the project is located certifies its approval of the project. Initial preference will be given to local governments and nonprofit organizations in areas of the state where local governments do not receive funding directly from HUD. Grant applications will be ranked competitively based on grant application requirements and criteria published by the Department of Children and Family Services.

361A SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS HOUSING
ASSISTANCE GRANTS
FROM GENERAL REVENUE FUND 250,000
FROM GRANTS AND DONATIONS TRUST
FUND 3,000,000

From the funds in Specific Appropriation 361A, the nonrecurring sum of $250,000 from the General Revenue Fund is provided for services to prevent or eliminate homelessness.

362 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 11,089,969
FROM FEDERAL GRANTS TRUST FUND . . . 24,049,555
FROM WELFARE TRANSITION TRUST FUND . 1,115,458

363 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,089,913
FROM FEDERAL GRANTS TRUST FUND . . . 3,571,681
FROM WELFARE TRANSITION TRUST FUND . 542,856

From the funds in Specific Appropriation 363, an increase of $847,548 from the Federal Grants Trust Fund is provided to continue the Supplemental Nutrition Assistance Program (SNAP) Nutrition Education. Subject to the federal grant specifications, the program curriculum shall include a public health education component, which at a minimum, shall provide specific information on the importance of good dental care, and general information on diabetes, heart disease and other chronic illnesses associated with poor nutrition.

From the funds in Specific Appropriation 363, the nonrecurring sum of $100,000 from the Welfare Transition Trust Fund is provided to the Richmond Heights Homeowners Association for crisis intervention and support services to low-income persons.

From the funds in Specific Appropriation 363, the nonrecurring sum of $100,000 from the Welfare Transition Trust Fund is provided to the Goulds Coalition of Ministries and Lay People, Inc., for information and referral services to low-income families.

364 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 64,742,633

365 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FRAUD CONTRACT
FROM GENERAL REVENUE FUND 264,804
FROM FEDERAL GRANTS TRUST FUND . . . 3,119,093

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FROM WELFARE TRANSITION TRUST FUND . 1,103,903

366 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,337,707
FROM FEDERAL GRANTS TRUST FUND . . . 975,018
FROM WELFARE TRANSITION TRUST FUND . 63,311

367 SPECIAL CATEGORIES
SERVICES TO REPATRIATED AMERICANS
FROM FEDERAL GRANTS TRUST FUND . . . 40,380

368 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 7,273
FROM FEDERAL GRANTS TRUST FUND . . . 7,074
FROM WELFARE TRANSITION TRUST FUND . 455

369 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 35,074
FROM GRANTS AND DONATIONS TRUST
FUND 34,288
FROM WELFARE TRANSITION TRUST FUND . 9,825

371 SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS PREVENTION -
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009
FROM FEDERAL GRANTS TRUST FUND . . . 8,602,844

372 FINANCIAL ASSISTANCE PAYMENTS
CASH ASSISTANCE
FROM GENERAL REVENUE FUND 135,420,238
FROM FEDERAL GRANTS TRUST FUND . . . 9,000,000
FROM WELFARE TRANSITION TRUST FUND . 66,695,727

From the funds in Specific Appropriation 372, $22,645,739 in nonrecurring funds from the Welfare Transition Trust Fund is provided for the Cash Assistance Program from federal funds available from the Temporary Assistance for Needy Families (TANF) Emergency Contingency Fund authorized by the American Recovery and Reinvestment Act of 2009.

373 FINANCIAL ASSISTANCE PAYMENTS
OPTIONAL STATE SUPPLEMENTATION PROGRAM
FROM GENERAL REVENUE FUND 17,101,867

374 FINANCIAL ASSISTANCE PAYMENTS
PERSONAL CARE ALLOWANCE
FROM GENERAL REVENUE FUND 344,456

375 FINANCIAL ASSISTANCE PAYMENTS
REFUGEE/ENTRANT ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 15,231,735

TOTAL: ECONOMIC SELF SUFFICIENCY SERVICES
FROM GENERAL REVENUE FUND 297,756,506
FROM TRUST FUNDS 335,877,003

TOTAL POSITIONS 4,687.50
TOTAL ALL FUNDS 633,633,509

TOTAL: CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 1,453,147,255
FROM TRUST FUNDS 1,492,961,539

TOTAL POSITIONS 13,186.75
TOTAL ALL FUNDS 2,946,108,794
TOTAL APPROVED SALARY RATE 500,161,657

ELDER AFFAIRS, DEPARTMENT OF

SECTION 3 - HUMAN SERVICES
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PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 10,048,256

376	SALARIES AND BENEFITS POSITIONS 275.00		
	FROM GENERAL REVENUE FUND	3,501,415	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		10,291,268
377	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	135,250	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		807,828
378	EXPENSES		
	FROM GENERAL REVENUE FUND	566,767	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,859,498
379	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	8,405	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,178
380	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	95,999	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		138,000
382	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	95,060	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		17,964
383	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	29,254	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		86,518
TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES			
	FROM GENERAL REVENUE FUND	4,432,150	
	FROM TRUST FUNDS		13,235,254
	TOTAL POSITIONS	275.00	
	TOTAL ALL FUNDS		17,667,404

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 3,040,582

384	SALARIES AND BENEFITS POSITIONS 67.50		
	FROM GENERAL REVENUE FUND	1,642,076	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,078,215
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		867,022
385	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	179,973	
	FROM ADMINISTRATIVE TRUST FUND . . .		35,000
	FROM FEDERAL GRANTS TRUST FUND . . .		652,498
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		205,507
386	EXPENSES		
	FROM GENERAL REVENUE FUND	481,847	
	FROM ADMINISTRATIVE TRUST FUND . . .		6,049
	FROM FEDERAL GRANTS TRUST FUND . . .		895,576

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	FROM OPERATIONS AND MAINTENANCE TRUST FUND		449,315
387	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	10,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		5,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
388	SPECIAL CATEGORIES		
	AGING AND ADULT SERVICES TRAINING AND EDUCATION		
	FROM FEDERAL GRANTS TRUST FUND . . .		119,493
389	SPECIAL CATEGORIES		
	GRANTS AND AIDS - ALZHEIMER'S DISEASE RESPITE AND PROJECTS		
	FROM GENERAL REVENUE FUND	11,790,148	
390	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY		
	FROM GENERAL REVENUE FUND	50,378,099	
	FROM FEDERAL GRANTS TRUST FUND . . .		277,928
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,388,969

Funds in Specific Appropriation 390 appropriated for Aging Resource Centers shall be equally allocated to each Aging Resource Center at the beginning of the fiscal year. The department may re-allocate funds during the fiscal year based on negotiations with the Aging Resource Centers.

391	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .		5,700,763
392	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM		
	FROM GENERAL REVENUE FUND	346,998	
	FROM FEDERAL GRANTS TRUST FUND . . .		96,743,728
393	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	115,400	
	FROM ADMINISTRATIVE TRUST FUND . . .		33,131
	FROM FEDERAL GRANTS TRUST FUND . . .		377,128
	FROM GRANTS AND DONATIONS TRUST FUND		22,700
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		53,564
394	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,753,545	
	FROM ADMINISTRATIVE TRUST FUND . . .		31,397
	FROM FEDERAL GRANTS TRUST FUND . . .		8,596,103
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		796,511
395	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	44,138,738	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,626,573

From the funds in Specific Appropriation 395, $5,039,900 from the Operations and Maintenance Trust Fund and $3,149,733 from the General Revenue Fund are provided for the department to serve elders in the Aged and Disabled Adult Home and Community Based Services Waiver. The department shall first enroll individuals from the waitlist who are assessed at a priority score of 4 or higher.

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396 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM GENERAL REVENUE FUND 13,493,231
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 21,590,572

398 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAMS
FROM GENERAL REVENUE FUND 7,465,811

In addition to the existing projects, the following projects in Specific Appropriation 398 are funded from recurring general revenue funds:

City of Hialeah 250,000
Little Havana Activities and Nutrition Centers
of Dade County..... 200,000

399 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 70,247
FROM FEDERAL GRANTS TRUST FUND . . . 11,160

400 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,252
FROM FEDERAL GRANTS TRUST FUND . . . 15,143
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 5,306

400A SPECIAL CATEGORIES
GRANTS AND AIDS - OLDER AMERICANS ACT -
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009
FROM FEDERAL GRANTS TRUST FUND . . . 500,000

401 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM GENERAL REVENUE FUND 133,796,598
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 214,088,474

From the funds in Specific Appropriation 401, $1,027,534 from the General Revenue Fund and $1,644,161 from the Operations and Maintenance Trust Fund are provided to increase the Program for All Inclusive Care for the Elderly (PACE) by 200 slots; 100 PACE slots are provided for Pinellas County effective July 1, 2010 and 100 PACE slots are provided for Hillsborough County, effective April 1, 2011.

401A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SENIOR CITIZEN CENTERS
FROM GENERAL REVENUE FUND 2,922,503

From the funds in Specific Appropriation 401A, $1,222,503 from nonrecurring general revenue funds are provided to complete construction of the Charles and Rae Kane Senior Center.

From the funds in Specific Appropriation 401A, $1,700,000 from nonrecurring general revenue funds are provided for the construction of the Mildred Pepper Senior Center in Southwest Miami Dade.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 268,595,466
FROM TRUST FUNDS 427,177,825

TOTAL POSITIONS 67.50
TOTAL ALL FUNDS 695,773,291

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 402 through 410, by September 1, 2010, the Department of Elder Affairs shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute the service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 3,896,115

402 SALARIES AND BENEFITS POSITIONS 76.00
FROM GENERAL REVENUE FUND 1,969,429
FROM ADMINISTRATIVE TRUST FUND . . . 1,896,579
FROM FEDERAL GRANTS TRUST FUND . . . 1,439,196

403 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 89,463
FROM ADMINISTRATIVE TRUST FUND . . . 456,484
FROM FEDERAL GRANTS TRUST FUND . . . 700,478

404 EXPENSES
FROM GENERAL REVENUE FUND 269,377
FROM ADMINISTRATIVE TRUST FUND . . . 437,379
FROM FEDERAL GRANTS TRUST FUND . . . 958,929

405 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 2,000

406 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,485
FROM ADMINISTRATIVE TRUST FUND . . . 197,464
FROM FEDERAL GRANTS TRUST FUND . . . 225,900

407 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 77,066
FROM ADMINISTRATIVE TRUST FUND . . . 7,163
FROM FEDERAL GRANTS TRUST FUND . . . 4,146

408 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 12,998
FROM ADMINISTRATIVE TRUST FUND . . . 20,836

409 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,288

410 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 156,674

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,423,818
FROM TRUST FUNDS 6,508,516

TOTAL POSITIONS 76.00
TOTAL ALL FUNDS 8,932,334

CONSUMER ADVOCATE SERVICES

APPROVED SALARY RATE 1,462,558

411 SALARIES AND BENEFITS POSITIONS 35.50
FROM GENERAL REVENUE FUND 529,056
FROM FEDERAL GRANTS TRUST FUND . . . 1,468,631

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412 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		53,825
FROM FEDERAL GRANTS TRUST FUND . . .		405,633
413 EXPENSES		
FROM GENERAL REVENUE FUND	127,716	
FROM ADMINISTRATIVE TRUST FUND . . .		100,000
FROM FEDERAL GRANTS TRUST FUND . . .		108,060
414 SPECIAL CATEGORIES		
PUBLIC GUARDIANSHIP CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,937,527	
FROM ADMINISTRATIVE TRUST FUND . . .		154,816
415 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	6,760	
FROM ADMINISTRATIVE TRUST FUND . . .		288,000
416 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	46,939	
FROM FEDERAL GRANTS TRUST FUND . . .		5,774
417 SPECIAL CATEGORIES		
LONG TERM CARE OMBUDSMAN COUNCIL		
FROM GENERAL REVENUE FUND	921,985	
FROM FEDERAL GRANTS TRUST FUND . . .		626,020
418 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,689	
FROM FEDERAL GRANTS TRUST FUND . . .		11,101
TOTAL: CONSUMER ADVOCATE SERVICES		
FROM GENERAL REVENUE FUND	3,575,672	
FROM TRUST FUNDS		3,221,860
TOTAL POSITIONS	35.50	
TOTAL ALL FUNDS		6,797,532
TOTAL: ELDER AFFAIRS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	279,027,106	
FROM TRUST FUNDS		450,143,455
TOTAL POSITIONS	454.00	
TOTAL ALL FUNDS		729,170,561
TOTAL APPROVED SALARY RATE	18,447,511	

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE 13,802,307

419 SALARIES AND BENEFITS POSITIONS 300.50		
FROM GENERAL REVENUE FUND	1,959,213	
FROM ADMINISTRATIVE TRUST FUND . . .		15,747,284
420 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	460,849	
FROM ADMINISTRATIVE TRUST FUND . . .		1,088,963
FROM FEDERAL GRANTS TRUST FUND . . .		75,000
421 EXPENSES		
FROM GENERAL REVENUE FUND	300,998	
FROM ADMINISTRATIVE TRUST FUND . . .		2,795,490
FROM FEDERAL GRANTS TRUST FUND . . .		60,000
422 AID TO LOCAL GOVERNMENTS		

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GRANTS AND AIDS - MINORITY HEALTH INITIATIVES		
FROM GENERAL REVENUE FUND	3,134,044	
423 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	100,227	
FROM ADMINISTRATIVE TRUST FUND . . .		1,300
424 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . .		20,116
425 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	376,826	
FROM ADMINISTRATIVE TRUST FUND . . .		1,584,672
FROM FEDERAL GRANTS TRUST FUND . . .		100,000

From the funds provided in Specific Appropriation 425, no more than $500,000 is provided for the Department of Health to contract with a private financial consultant to prepare a cost allocation plan that includes a comprehensive planning and management review of each county health department's financial structure and a detailed cost allocation methodology for all expenditures. This review should include a funding source allocation methodology, as well as proposed allocation plan. The plan must identify and describe in detail (1) the anticipated funding model and method to be used to pay for each service, specifically identifying any federal, state, and local agency funding sources; (2) the estimated expenses to be incurred by contractors as a result of outsourcing services; and (3) the proposed overhead costs for the cost allocation plan and the specific services that will be provided for such costs. The plan shall be submitted to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care no later than March 31, 2011.

426 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	175,521	
FROM ADMINISTRATIVE TRUST FUND . . .		6,067
427 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	30,858	
FROM ADMINISTRATIVE TRUST FUND . . .		95,358
TOTAL: ADMINISTRATIVE SUPPORT		
FROM GENERAL REVENUE FUND	6,538,536	
FROM TRUST FUNDS		21,574,250
TOTAL POSITIONS	300.50	
TOTAL ALL FUNDS		28,112,786

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 428 through 437A, by September 1, 2010, the Department of Health shall execute service level agreements, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC) and Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 5,109,760

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

428	SALARIES AND BENEFITS POSITIONS 99.00		
	FROM GENERAL REVENUE FUND	2,646,689	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,688,798
429	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	36,797	
	FROM ADMINISTRATIVE TRUST FUND . . .		231,000
430	EXPENSES		
	FROM GENERAL REVENUE FUND	4,485,898	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,122,002
431	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		380,000
432	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,351,998	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,394,838
433	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	86,509	
434	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	17,207	
	FROM ADMINISTRATIVE TRUST FUND . . .		27,333
435	DATA PROCESSING SERVICES		
	CHILDREN AND FAMILIES DATA CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,421,198
436	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	100,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,875,079
437	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,405,530
437A	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
	DEPRECIATION FEDERAL SHARE BILLINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .		17,011
TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	8,725,098	
	FROM TRUST FUNDS		14,562,789
	TOTAL POSITIONS	99.00	
	TOTAL ALL FUNDS		23,287,887

PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

APPROVED SALARY RATE 9,749,378

438	SALARIES AND BENEFITS POSITIONS 216.00		
	FROM GENERAL REVENUE FUND	2,557,616	
	FROM EPILEPSY SERVICES TRUST FUND .		64,354
	FROM FEDERAL GRANTS TRUST FUND . . .		8,545,145
	FROM MATERNAL AND CHILD HEALTH		
	BLOCK GRANT TRUST FUND		1,193,308
	FROM PREVENTIVE HEALTH SERVICES		
	BLOCK GRANT TRUST FUND		624,177
439	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	23,459	
	FROM FEDERAL GRANTS TRUST FUND . . .		230,708

SECTION 3 - HUMAN SERVICES
SPECIFIC
APPROPRIATION

	FROM GRANTS AND DONATIONS TRUST		
	FUND		63,220
	FROM MATERNAL AND CHILD HEALTH		
	BLOCK GRANT TRUST FUND		132,326
	FROM PREVENTIVE HEALTH SERVICES		
	BLOCK GRANT TRUST FUND		61,332
440	EXPENSES		
	FROM GENERAL REVENUE FUND	269,300	
	FROM ADMINISTRATIVE TRUST FUND . . .		10,237
	FROM RAPE CRISIS PROGRAM TRUST		
	FUND		24,492
	FROM EPILEPSY SERVICES TRUST FUND .		31,044
	FROM FEDERAL GRANTS TRUST FUND . . .		3,482,084
	FROM GRANTS AND DONATIONS TRUST		
	FUND		21,410
	FROM MATERNAL AND CHILD HEALTH		
	BLOCK GRANT TRUST FUND		447,752
	FROM PREVENTIVE HEALTH SERVICES		
	BLOCK GRANT TRUST FUND		294,030
441	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FAMILY PLANNING SERVICES		
	FROM GENERAL REVENUE FUND	5,152,439	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,067,783
442	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - EPILEPSY SERVICES		
	FROM GENERAL REVENUE FUND	2,107,152	
	FROM EPILEPSY SERVICES TRUST FUND .		1,427,831
443	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	4,844,731	
444	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - PRIMARY CARE PROGRAM		
	FROM GENERAL REVENUE FUND	19,221,512	
445	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLUORIDATION PROJECT		
	FROM PREVENTIVE HEALTH SERVICES		
	BLOCK GRANT TRUST FUND		150,000
445A	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS-RURAL DIVERSITY MINORITY		
	HEALTH CARE		
	FROM GENERAL REVENUE FUND	1,500,000	

From the funds in Specific Appropriation 445A, $500,000 is provided from the General Revenue Fund to the AGAPE Community Health Center for a mobile dental unit to serve underserved areas of Duval County.

From the funds in Specific Appropriation 445A, $1,000,000 is provided for comprehensive primary and preventive dental and medical services to the uninsured and underinsured population in Lake Wales and surrounding communities.

446	AID TO LOCAL GOVERNMENTS		
	SCHOOL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	3,625,057	
	FROM TOBACCO SETTLEMENT TRUST FUND .		9,902,925
	FROM FEDERAL GRANTS TRUST FUND . . .		6,791,548
447	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		41,500
	FROM MATERNAL AND CHILD HEALTH		
	BLOCK GRANT TRUST FUND		25,000
448	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OUNCE OF PREVENTION		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,900,000
449	SPECIAL CATEGORIES		

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SPECIFIC
APPROPRIATION
GRANTS AND AIDS - CRISIS COUNSELING
FROM GENERAL REVENUE FUND 2,000,000

From the funds in Specific Appropriation 449, a minimum of 85 percent shall be spent on direct client services, website maintenance and Option Line and no more than $400 shall be spent per month per direct service provider on contract management. The 85 percent shall be divided between contract management providers based on the number of 2009-2010 fiscal year maximum allowed direct service providers (70 percent/30 percent). To ensure program transparency and efficiency each contract management provider shall cross-monitor the five highest 2009-2010 contract year program utilizers of the other contract management provider.

450 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 153,227
FROM RAPE CRISIS PROGRAM TRUST FUND 57,000
FROM FEDERAL GRANTS TRUST FUND . . . 1,438,124
FROM GRANTS AND DONATIONS TRUST FUND 5,740
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 13,000
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 305,500

451 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,625,152
FROM ADMINISTRATIVE TRUST FUND . . . 100,000
FROM RAPE CRISIS PROGRAM TRUST FUND 1,982,925
FROM FEDERAL GRANTS TRUST FUND . . . 6,036,020
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 1,277,845
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 119,630

452 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 23,654,198
FROM FEDERAL GRANTS TRUST FUND . . . 3,799,672
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 6,542,389

Of the funds in Specific Appropriation 452, the department is directed to authorize Healthy Start Coalitions to seek and receive grants as authorized by statute. If the department determines such activities cannot be reimbursed because of federal restrictions, then the department is directed to seek a waiver of those federal requirements, and to issue a written report on the matter, including a report on options the state might have, to the chair of the House Full Appropriations Council on General Government & Health Care and the chair of the Senate Policy and Steering Committee on Ways and Means no later than October 1, 2010.

453 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 12,686

454 SPECIAL CATEGORIES
HEALTHY START COORDINATED CARE SYSTEM WAIVER
FROM GENERAL REVENUE FUND 15,171,241
FROM FEDERAL GRANTS TRUST FUND . . . 18,890,817

455 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS
FROM FEDERAL GRANTS TRUST FUND . . . 476,078,960

456 SPECIAL CATEGORIES

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SPECIFIC
APPROPRIATION
FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION
FROM TOBACCO SETTLEMENT TRUST FUND . 8,500,000

457 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 60,696
FROM FEDERAL GRANTS TRUST FUND . . . 47,750

458 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,388
FROM FEDERAL GRANTS TRUST FUND . . . 59,874
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 7,986
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 3,240

458A SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 932,718

458B SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,043,704

458C QUALIFIED EXPENDITURE CATEGORY
WOMEN, INFANTS AND CHILDREN DATA SYSTEM
FROM FEDERAL GRANTS TRUST FUND . . . 2,168,952

TOTAL: FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES
FROM GENERAL REVENUE FUND 83,984,168
FROM TRUST FUNDS 565,956,738

TOTAL POSITIONS 216.00
TOTAL ALL FUNDS 649,940,906

INFECTIOUS DISEASE CONTROL

From the funds in Specific Appropriations 460 through 478, the Department of Health shall maximize the utilization of grants, services, and property from the Federal Government, foundations, organizations, medical schools and other entities as may be made available for chronic obstructive pulmonary disease (COPD) initiatives in Florida.

APPROVED SALARY RATE 16,202,068

460 SALARIES AND BENEFITS POSITIONS 411.50
FROM GENERAL REVENUE FUND 5,175,246
FROM FEDERAL GRANTS TRUST FUND . . . 12,502,072
FROM OPERATIONS AND MAINTENANCE TRUST FUND 4,523,372

461 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 34,971
FROM FEDERAL GRANTS TRUST FUND . . . 596,922
FROM OPERATIONS AND MAINTENANCE TRUST FUND 51,211

462 EXPENSES
FROM GENERAL REVENUE FUND 1,667,720
FROM FEDERAL GRANTS TRUST FUND . . . 7,802,606
FROM GRANTS AND DONATIONS TRUST FUND 23,537
FROM OPERATIONS AND MAINTENANCE TRUST FUND 648,564

463 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - AIDS PATIENT CARE

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SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	12,609,807	
FROM FEDERAL GRANTS TRUST FUND . . .		7,060,522

464 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - RYAN WHITE CONSORTIA

FROM FEDERAL GRANTS TRUST FUND . . .		20,754,358

Funds in Specific Appropriation 464 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.

465 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS

FROM GENERAL REVENUE FUND	10,463,853	

466 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS

FROM GENERAL REVENUE FUND	14,912,400	

467 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	32,432	
FROM FEDERAL GRANTS TRUST FUND . . .		178,326

468 FOOD PRODUCTS

FROM GENERAL REVENUE FUND	211,324	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		58,213

469 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	951,268	
FROM FEDERAL GRANTS TRUST FUND . . .		4,716,511
FROM GRANTS AND DONATIONS TRUST FUND		162,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,000

470 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	1,530,876	
FROM FEDERAL GRANTS TRUST FUND . . .		11,166,097

471 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES

FROM GENERAL REVENUE FUND	219,809	

472 SPECIAL CATEGORIES
GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM

FROM GENERAL REVENUE FUND	6,454,951	
FROM FEDERAL GRANTS TRUST FUND . . .		4,891,498

473 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES

FROM GENERAL REVENUE FUND	134,165	

474 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	190,064	

475 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	50,956	
FROM FEDERAL GRANTS TRUST FUND . . .		95,590
FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,395

476 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM FEDERAL GRANTS TRUST FUND . . .		49,786

477 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM FEDERAL GRANTS TRUST FUND . . .		3,478,537

478 SPECIAL CATEGORIES
OUTREACH FOR PREGNANT WOMEN

FROM GENERAL REVENUE FUND	500,000	

TOTAL: INFECTIOUS DISEASE CONTROL

FROM GENERAL REVENUE FUND	55,139,842	
FROM TRUST FUNDS		78,864,117
TOTAL POSITIONS	411.50	
TOTAL ALL FUNDS		134,003,959

ENVIRONMENTAL HEALTH SERVICES

APPROVED SALARY RATE 9,856,013

480 SALARIES AND BENEFITS POSITIONS 217.50

FROM GENERAL REVENUE FUND	1,787,501	
FROM ADMINISTRATIVE TRUST FUND . . .		3,141,627
FROM FEDERAL GRANTS TRUST FUND . . .		1,593,781
FROM GRANTS AND DONATIONS TRUST FUND		1,064,632
FROM RADIATION PROTECTION TRUST FUND		6,072,718

481 OTHER PERSONAL SERVICES

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

482 EXPENSES

FROM GENERAL REVENUE FUND	330,704	
FROM ADMINISTRATIVE TRUST FUND . . .		1,043,799
FROM FEDERAL GRANTS TRUST FUND . . .		293,552
FROM GRANTS AND DONATIONS TRUST FUND		281,055
FROM RADIATION PROTECTION TRUST FUND		1,736,996

483 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS

FROM GENERAL REVENUE FUND	3,084,924	
FROM ADMINISTRATIVE TRUST FUND . . .		467,426
FROM GRANTS AND DONATIONS TRUST FUND		2,154,571

484 OPERATING CAPITAL OUTLAY

FROM ADMINISTRATIVE TRUST FUND . . .		15,000
FROM FEDERAL GRANTS TRUST FUND . . .		46,698
FROM RADIATION PROTECTION TRUST FUND		56,997

485 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES

FROM ADMINISTRATIVE TRUST FUND . . .		80,000
FROM RADIATION PROTECTION TRUST FUND		130,856

486 SPECIAL CATEGORIES

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SPECIFIC
APPROPRIATION
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 153,772
FROM ADMINISTRATIVE TRUST FUND . . . 337,765
FROM FEDERAL GRANTS TRUST FUND . . . 348,235
FROM GRANTS AND DONATIONS TRUST FUND 2,648,438
FROM RADIATION PROTECTION TRUST FUND 150,000

From the funds in Specific Appropriation 486, $2,000,000 from the Grants and Donations Trust Fund is provided to the department to continue phase II and complete the study authorized in Specific Appropriation 1682 of chapter 2008-152, Laws of Florida. The report shall include recommendations on passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. The department shall submit an interim report of phase II on February 1, 2011, a subsequent status report on May 16, 2011, and a final report upon completion of phase II to the Governor, the President of the Senate, and the Speaker of the House of Representatives prior to proceeding with any nitrogen reduction activities.

487 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 750,000

488 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 66,504
FROM RADIATION PROTECTION TRUST FUND 14,575

489 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 12,630
FROM ADMINISTRATIVE TRUST FUND . . . 18,342
FROM FEDERAL GRANTS TRUST FUND . . . 9,712
FROM GRANTS AND DONATIONS TRUST FUND 8,282
FROM RADIATION PROTECTION TRUST FUND 40,522

490 SPECIAL CATEGORIES
STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE (SUPER) ACT REIMBURSEMENT
FROM GRANTS AND DONATIONS TRUST FUND 534,775

TOTAL: ENVIRONMENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 5,436,035
FROM TRUST FUNDS 23,407,013

TOTAL POSITIONS 217.50
TOTAL ALL FUNDS 28,843,048

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

APPROVED SALARY RATE 474,197,601

492 SALARIES AND BENEFITS POSITIONS 12,359.00
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 652,737,029

493 OTHER PERSONAL SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 32,697,185

494 EXPENSES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 112,267,296

495 AID TO LOCAL GOVERNMENTS

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SPECIFIC
APPROPRIATION
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 157,856,789
FROM TOBACCO SETTLEMENT TRUST FUND . 3,919,999

496 AID TO LOCAL GOVERNMENTS
COMMUNITY HEALTH INITIATIVES
FROM GENERAL REVENUE FUND 1,892,958
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 500,000

497 OPERATING CAPITAL OUTLAY
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 11,235,802

498 LUMP SUM
COUNTY HEALTH DEPARTMENTS
POSITIONS 400.00

499 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 2,809,253

500 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 69,984,660

501 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 27,500

502 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 4,827,285

503 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 288,347

504 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 3,899,926

505 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 3,446,070

506 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 7,721,866

507 FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, AND EQUIPMENT - COUNTY HEALTH DEPARTMENTS
FROM GENERAL REVENUE FUND 2,500,000
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 9,855,200

From the funds in Specific Appropriation 507, the following projects are funded from nonrecurring funds in the County Health Department Trust Fund:

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SPECIFIC
APPROPRIATION

Polk County Health Department..... 6,876,200
Bay County Health Department..... 2,379,000
Baker County Health Department..... 600,000

From the funds in Specific Appropriation 507, the following project is funded from nonrecurring general revenue funds:

Miami-Dade Health Department for the Liberty City Health Center Planning, Design, and Construction..... 2,500,000

507A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF COUNTY HEALTH DEPARTMENTS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND 7,533,960

TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS
FROM GENERAL REVENUE FUND 162,249,747
FROM TRUST FUNDS 923,751,378

TOTAL POSITIONS 12,759.00
TOTAL ALL FUNDS 1,086,001,125

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 24,683,124

508 SALARIES AND BENEFITS POSITIONS 634.00
FROM GENERAL REVENUE FUND 9,450,987
FROM ADMINISTRATIVE TRUST FUND . . . 938,708
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 2,838,349
FROM FEDERAL GRANTS TRUST FUND . . . 9,949,263
FROM GRANTS AND DONATIONS TRUST FUND 286,340
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 153,015
FROM PLANNING AND EVALUATION TRUST FUND 10,548,337

509 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,134
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 149,583
FROM FEDERAL GRANTS TRUST FUND . . . 214,561
FROM PLANNING AND EVALUATION TRUST FUND 689,100

510 EXPENSES
FROM GENERAL REVENUE FUND 1,346,529
FROM ADMINISTRATIVE TRUST FUND . . . 233,144
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 825,468
FROM BIOMEDICAL RESEARCH TRUST FUND 2,047
FROM FEDERAL GRANTS TRUST FUND . . . 4,348,698
FROM GRANTS AND DONATIONS TRUST FUND 168,414
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 39,050
FROM PLANNING AND EVALUATION TRUST FUND 11,551,324

From the funds in Specific Appropriation 510, $250,000 in recurring funds from the General Revenue Fund shall be used to support the Statewide Council on Deafness.

511 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 6,211,675

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SPECIFIC
APPROPRIATION

512 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 4,681,461

513 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 84,691
FROM ADMINISTRATIVE TRUST FUND . . . 2,600
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 1,932
FROM FEDERAL GRANTS TRUST FUND . . . 361,466
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 6,000
FROM PLANNING AND EVALUATION TRUST FUND 128,302

514 SPECIAL CATEGORIES
GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS
FROM FEDERAL GRANTS TRUST FUND . . . 48,486,622

515 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 404,887
FROM ADMINISTRATIVE TRUST FUND . . . 255,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 919,958
FROM FEDERAL GRANTS TRUST FUND . . . 507,500
FROM GRANTS AND DONATIONS TRUST FUND 65,000
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 41,188
FROM PLANNING AND EVALUATION TRUST FUND 5,271,469

517 SPECIAL CATEGORIES
DRUGS, VACCINES AND OTHER BIOLOGICALS
FROM GENERAL REVENUE FUND 21,977,280
FROM FEDERAL GRANTS TRUST FUND . . . 82,631,606

Funds in Specific Appropriation 517 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.

518 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST FUND 22,200,000

From the funds in Specific Appropriation 518, up to $50,000 shall be used for collaborative biomedical research projects within the state's historically black colleges and universities.

519 SPECIAL CATEGORIES
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID COLEY CANCER RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST FUND 20,000,000

From the funds provided in Specific Appropriation 519, $500,000 is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

519A SPECIAL CATEGORIES
H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE
FROM BIOMEDICAL RESEARCH TRUST

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FUND		10,000,000
519B SPECIAL CATEGORIES		
GRANTS AND AIDS - NEUROSCIENCE CENTERS OF FLORIDA - FLORIDA INTERNATIONAL UNIVERSITY		
FROM GENERAL REVENUE FUND	3,500,000	
520 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,754,023	
521 SPECIAL CATEGORIES		
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS		
FROM FEDERAL GRANTS TRUST FUND . . .		1,000,000
522 SPECIAL CATEGORIES		
GRANTS AND AIDS - TRAUMA CARE		
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		7,593,747
523 SPECIAL CATEGORIES		
GRANTS AND AID - NURSING STUDENT LOAN REIMBURSEMENT/ SCHOLARSHIPS		
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		929,006
524 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	95,997	
FROM ADMINISTRATIVE TRUST FUND . . .		5,558
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		23,883
FROM FEDERAL GRANTS TRUST FUND . . .		71,216
FROM GRANTS AND DONATIONS TRUST FUND		3,562
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		1,260
FROM PLANNING AND EVALUATION TRUST FUND		78,124
525 SPECIAL CATEGORIES		
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		8,112
526 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		98,520
TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	39,620,528	
FROM TRUST FUNDS		254,520,168
TOTAL POSITIONS	634.00	
TOTAL ALL FUNDS		294,140,696

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 30,477,008

529 SALARIES AND BENEFITS POSITIONS 747.50		
FROM GENERAL REVENUE FUND	19,441,109	
FROM DONATIONS TRUST FUND		15,022,870
FROM FEDERAL GRANTS TRUST FUND . . .		6,428,508
530 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,043,078	

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FROM DONATIONS TRUST FUND		89,063
FROM FEDERAL GRANTS TRUST FUND . . .		388,687
531 EXPENSES		
FROM GENERAL REVENUE FUND	2,047,659	
FROM DONATIONS TRUST FUND		3,729,719
FROM FEDERAL GRANTS TRUST FUND . . .		2,941,248
532 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	46,246	
FROM DONATIONS TRUST FUND		35,629
FROM FEDERAL GRANTS TRUST FUND . . .		106,825
533 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK		
FROM GENERAL REVENUE FUND	16,950,933	
FROM TOBACCO SETTLEMENT TRUST FUND .		11,775,196
FROM DONATIONS TRUST FUND		164,607,005
FROM FEDERAL GRANTS TRUST FUND . . .		661,673
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		9,056,018
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,613,263

Funds in Specific Appropriation 533 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the department. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS network health professionals, staff, or contractors.

From the funds in Specific Appropriation 533, the department shall transfer an amount not to exceed $450,000 from the General Revenue Fund to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs.

534 SPECIAL CATEGORIES		
GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN		
FROM GENERAL REVENUE FUND	11,163,942	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,763,295
535 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM DONATIONS TRUST FUND		1,395,321
FROM FEDERAL GRANTS TRUST FUND . . .		171,303
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		281,710
536 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	558,501	
537 SPECIAL CATEGORIES		
POISON CONTROL CENTER		
FROM GENERAL REVENUE FUND	1,591,693	
538 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	413,123	
539 SPECIAL CATEGORIES		
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C		
FROM GENERAL REVENUE FUND	16,120,698	
FROM TOBACCO SETTLEMENT TRUST FUND .		3,817,556

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FROM FEDERAL GRANTS TRUST FUND . . . 27,453,779

From the funds in Specific Appropriation 539, $2,526,016 from the General Revenue Fund is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 181.

From the funds in Specific Appropriation 539, $9,753,063 from the Federal Grants Trust Fund is provided for Early Steps-IDEA Part C as a result of federal funding received from the American Recovery and Reinvestment Act of 2009.

540 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 161,870
FROM DONATIONS TRUST FUND 118,553
FROM FEDERAL GRANTS TRUST FUND . . . 48,902

541 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDRENS MEDICAL SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 9,753,063

541A QUALIFIED EXPENDITURE CATEGORY
CHILDRENS MEDICAL SERVICES DEVELOPMENT AND INTEGRATION PROJECT
FROM FEDERAL GRANTS TRUST FUND . . . 2,242,800

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 70,538,852
FROM TRUST FUNDS 267,501,986

TOTAL POSITIONS 747.50
TOTAL ALL FUNDS 338,040,838

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE 24,001,248

543 SALARIES AND BENEFITS POSITIONS 640.50
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 2,316,043
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 30,979,913

544 OTHER PERSONAL SERVICES
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 6,704
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 4,075,666

545 EXPENSES
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 504,956
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 7,431,498

546 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 57,604

547 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,000

548 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 1,231,856

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549 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 168,299

550 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 78,000
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 15,115,119

551 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 1,567
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 274,992

552 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA DRUG, DEVICE AND COSMETIC TRUST FUND 16,780
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 254,767

TOTAL: MEDICAL QUALITY ASSURANCE
FROM TRUST FUNDS 62,526,764

TOTAL POSITIONS 640.50
TOTAL ALL FUNDS 62,526,764

COMMUNITY HEALTH RESOURCES

APPROVED SALARY RATE 4,635,466

553 SALARIES AND BENEFITS POSITIONS 115.00
FROM GENERAL REVENUE FUND 900,183
FROM ADMINISTRATIVE TRUST FUND . . . 382,773
FROM TOBACCO SETTLEMENT TRUST FUND . 303,313
FROM FEDERAL GRANTS TRUST FUND . . . 1,407,363
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 3,039,632

From the funds in Specific Appropriation 553, $303,313 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

554 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 10,000
FROM FEDERAL GRANTS TRUST FUND . . . 19,770
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 24,000

555 EXPENSES
FROM GENERAL REVENUE FUND 102,763
FROM ADMINISTRATIVE TRUST FUND . . . 133,178
FROM FEDERAL GRANTS TRUST FUND . . . 555,127
FROM GRANTS AND DONATIONS TRUST FUND 29,729
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 777,059

556 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 86,002

557 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HEALTH COUNCILS
FROM GRANTS AND DONATIONS TRUST

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FUND		1,006,000
558 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .		12,850
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		9,000
559 SPECIAL CATEGORIES		
AREA HEALTH EDUCATION CENTERS		
FROM GENERAL REVENUE FUND	4,801,743	
560 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	26,124	
FROM ADMINISTRATIVE TRUST FUND . . .		5,623
FROM FEDERAL GRANTS TRUST FUND . . .		616,997
FROM GRANTS AND DONATIONS TRUST FUND		3,581
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		391,923
561 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,391,454	
FROM FEDERAL GRANTS TRUST FUND . . .		437,153
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		500,000
562 SPECIAL CATEGORIES		
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS		
FROM GENERAL REVENUE FUND	500,000	
FROM FEDERAL GRANTS TRUST FUND . . .		574,305
563 SPECIAL CATEGORIES		
BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	1,168,470	
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		11,711,744
564 SPECIAL CATEGORIES		
CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	657,615	
FROM FEDERAL GRANTS TRUST FUND . . .		1,052,255
565 SPECIAL CATEGORIES		
PURCHASED CLIENT SERVICES		
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		7,752,879
566 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		52,506
567 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPINAL CORD RESEARCH		
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		1,000,000
568 SPECIAL CATEGORIES		
COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM		
FROM TOBACCO SETTLEMENT TRUST FUND .		61,293,054

Funds in Specific Appropriation 568 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

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State & Community Interventions.....	10,860,519
State & Community Interventions - AHEC.....	6,000,000
Health Communications Interventions.....	20,532,122
Cessation Interventions.....	11,768,879
Cessation Interventions - AHEC.....	4,000,000
Surveillance & Evaluation.....	5,355,029
Administration & Management.....	2,776,505

From the funds in Specific Appropriation 568, the department may use nicotine replacements and other treatments approved by the Federal Food and Drug Administration as part of smoking cessation interventions.

568A SPECIAL CATEGORIES		
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY CRESTVIEW CENTER		
FROM GENERAL REVENUE FUND	8,500,000	

From the funds in Specific Appropriation 568A, $8,500,000 from the General Revenue Fund is provided for the Department of Health to transfer to the Florida Agricultural and Mechanical University (FAMU) to continue the FAMU Crestview Education Center project, first funded in Fiscal Year 2008-2009, to address chronic health disparities found in rural and underserved communities. One hundred percent of the funds shall be transferred from the department to FAMU pursuant to the provisions of this paragraph. Funds are provided for renovation and maintenance of the building in Crestview, which is owned and will be used by FAMU to offer instructional programs leading to the PharmD; B.S. or M.S. nursing; master of public health and doctorate of public health; and health care management, health administration, occupational therapy, and physical therapy. It is the intent of the Legislature that students trained at this facility be provided the opportunity to receive field experience in county health departments, federally qualified health centers, hospitals, clinics, and local pharmacies. Such training shall focus on preparing students for health care careers in rural and underserved areas. The funds in this proviso shall be held in reserve until the department submits a budget amendment providing detailed plans for the expenditure of the funds in the appropriation, which shall be submitted by December 1, 2010. Funds in the amount of $7,000,000 in nonrecurring fixed capital outlay are provided for the renovation of the facility; and funds in the amount of $1,500,000 in recurring funds are provided to support operational staff. A budget amendment recommending the release of these funds must be delivered to the Legislature at least 14 days before the effective date of the action.

569 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	10,600	
FROM ADMINISTRATIVE TRUST FUND . . .		2,496
FROM FEDERAL GRANTS TRUST FUND . . .		9,951
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		23,815
570 SPECIAL CATEGORIES		
MEDICALLY FRAGILE ENHANCEMENT PAYMENT		
FROM GENERAL REVENUE FUND	610,020	
570A SPECIAL CATEGORIES		
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		3,176
570B SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND . . .		882,985
TOTAL: COMMUNITY HEALTH RESOURCES		
FROM GENERAL REVENUE FUND	18,754,974	
FROM TRUST FUNDS		94,024,237
TOTAL POSITIONS	115.00	

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TOTAL ALL FUNDS 112,779,211

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE 49,917,583

571 SALARIES AND BENEFITS POSITIONS 1,227.00
FROM GENERAL REVENUE FUND 657,512
FROM FEDERAL GRANTS TRUST FUND . . . 657,533
FROM U.S. TRUST FUND 72,951,470

572 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,495
FROM FEDERAL GRANTS TRUST FUND . . . 33,500
FROM U.S. TRUST FUND 16,095,631

573 EXPENSES
FROM GENERAL REVENUE FUND 166,909
FROM FEDERAL GRANTS TRUST FUND . . . 172,071
FROM U.S. TRUST FUND 23,851,168

574 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 5,000
FROM U.S. TRUST FUND 679,800

575 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 169,164
FROM FEDERAL GRANTS TRUST FUND . . . 174,396
FROM U.S. TRUST FUND 36,747,092

576 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,784
FROM FEDERAL GRANTS TRUST FUND . . . 1,784
FROM U.S. TRUST FUND 312,183

577 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,990
FROM FEDERAL GRANTS TRUST FUND . . . 4,990
FROM U.S. TRUST FUND 540,212

TOTAL: DISABILITY BENEFITS DETERMINATION
FROM GENERAL REVENUE FUND 1,037,854
FROM TRUST FUNDS 152,226,830

TOTAL POSITIONS 1,227.00
TOTAL ALL FUNDS 153,264,684

TOTAL: HEALTH, DEPARTMENT OF
FROM GENERAL REVENUE FUND 452,025,634
FROM TRUST FUNDS 2,458,916,270

TOTAL POSITIONS 17,367.50
TOTAL ALL FUNDS 2,910,941,904
TOTAL APPROVED SALARY RATE 662,631,556

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

APPROVED SALARY RATE 26,732,932

578 SALARIES AND BENEFITS POSITIONS 978.00
FROM GENERAL REVENUE FUND 5,622,857
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 32,738,794

579 OTHER PERSONAL SERVICES
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 2,724,250

580 EXPENSES
FROM GENERAL REVENUE FUND 8,990
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 12,172,437

581 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST
FUND 10,300
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 426,494

582 FOOD PRODUCTS
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 2,832,361

583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 13,328,171

584 SPECIAL CATEGORIES
RECREATIONAL EQUIPMENT AND SUPPLIES
FROM GRANTS AND DONATIONS TRUST
FUND 72,500

585 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 150,684
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 663,513

586 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 57,962
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 358,745

587 FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIR OF STATE-OWNED
RESIDENTIAL FACILITIES FOR VETERANS
FROM STATE HOMES FOR VETERANS
TRUST FUND 1,435,000

TOTAL: VETERANS' HOMES
FROM GENERAL REVENUE FUND 5,840,493
FROM TRUST FUNDS 66,762,565

TOTAL POSITIONS 978.00
TOTAL ALL FUNDS 72,603,058

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 588 through 595, by September 1, 2010, the Department of Veterans Affairs shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution, and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 1,653,336

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588	SALARIES AND BENEFITS POSITIONS 27.00		
	FROM GENERAL REVENUE FUND	2,278,894	
589	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	19,765	
590	EXPENSES		
	FROM GENERAL REVENUE FUND	721,727	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		100,458
591	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	120,512	
592	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	124,538	
593	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,146	
594	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	10,528	
595	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	2,557	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	3,281,667	
	FROM TRUST FUNDS		100,458
	TOTAL POSITIONS	27.00	
	TOTAL ALL FUNDS		3,382,125

VETERANS' BENEFITS AND ASSISTANCE

APPROVED SALARY RATE 3,261,836

596	SALARIES AND BENEFITS POSITIONS 79.00		
	FROM GENERAL REVENUE FUND	3,727,873	
	FROM FEDERAL GRANTS TRUST FUND . . .		543,796
597	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,000	
598	EXPENSES		
	FROM GENERAL REVENUE FUND	197,067	
	FROM FEDERAL GRANTS TRUST FUND . . .		100,603
599A	LUMP SUM VETERANS' BENEFITS AND ASSISTANCE POSITIONS 39.00		
600	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,569	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,000
601	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	10,761	
	FROM FEDERAL GRANTS TRUST FUND . . .		401
602	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	28,429	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,914

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TOTAL: VETERANS' BENEFITS AND ASSISTANCE		
FROM GENERAL REVENUE FUND	3,978,699	
FROM TRUST FUNDS		650,714
TOTAL POSITIONS	118.00	
TOTAL ALL FUNDS		4,629,413
TOTAL: VETERANS' AFFAIRS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	13,100,859	
FROM TRUST FUNDS		67,513,737
TOTAL POSITIONS	1,123.00	
TOTAL ALL FUNDS		80,614,596
TOTAL APPROVED SALARY RATE	31,648,104	
TOTAL OF SECTION 3		
FROM GENERAL REVENUE FUND	6,708,809,612	
FROM TRUST FUNDS		21,773,481,448
TOTAL POSITIONS	36,869.75	
TOTAL ALL FUNDS		28,482,291,060

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Parole Commission 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 603 through 781, 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.

The Department of Corrections shall develop and use a uniform format and uniform methodologies for the purpose of reporting annually to the Governor and 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, 2011.

Funds in Specific Appropriations 603 through 781 shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2010, and for which it has been determined by the Secretary of the department

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that there is no longer a need.

The Department of Corrections may, subject to all applicable provisions of chapter 216, Florida Statutes, transfer funds and positions and salary rate among budget entities and programs within Specific Appropriations 603 through 781 if necessary, to ensure public safety and avoid adversely affecting current employees due to the elimination of vacant positions and other approved reductions. It is the intent of the Legislature that priority shall be placed on preserving positions in correctional institutions and community corrections.

Funds in Specific Appropriations 603 through 781 include reductions in full-time equivalent positions and associated salary and benefits. Those reductions in full-time equivalent positions must be from, to the maximum extent feasible, supervisory and managerial positions.

To minimize the impact of funding reductions within Specific Appropriations 603 through 781, the department shall identify vacant correctional work release and substance abuse programming capacity and has the discretion pursuant to the provisions of Chapter 216, Florida Statutes, to transfer funds to enable the filling of such additional capacity in accordance with the provisions of chapter 945, Florida Statutes.

From the funds in Specific Appropriations 603 through 781, the Department of Corrections may contract with a provider to implement an evidence-based risk/needs analysis pilot program using established risk assessment tools to analyze the offender at an appropriate site. The risk/needs assessment tool will allow the department to focus resources and treatment on those offenders with the greatest risk to re-offend and will assist the department in determining appropriate programming for offenders that may be better served in day reporting centers or other similar programs. The findings should include an analysis of whether implementing an evidence-based risk analysis across the entire inmate/offender population would reduce state expenditures and recidivism rates. The department shall report its findings to the chairs of the House Full Appropriations Council on General Government and Health Care and Serate Policy and Steering Committee on Ways and Means no later than January 31, 2011.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

APPROVED SALARY RATE 11,360,937

603	SALARIES AND BENEFITS POSITIONS 298.00		
	FROM GENERAL REVENUE FUND	14,865,366	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,112,604
604	EXPENSES		
	FROM GENERAL REVENUE FUND	82,132	
	FROM ADMINISTRATIVE TRUST FUND . . .		133,494
605	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	46,507	
606	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	95,907	
607	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,709	
TOTAL: BUSINESS SERVICE CENTERS			
	FROM GENERAL REVENUE FUND	15,093,621	
	FROM TRUST FUNDS		2,246,098
	TOTAL POSITIONS	298.00	

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	TOTAL ALL FUNDS		17,339,719

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 12,688,626

608	SALARIES AND BENEFITS POSITIONS 263.00		
	FROM GENERAL REVENUE FUND	11,226,502	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,970,519
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		81,903
609	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,090	
	FROM ADMINISTRATIVE TRUST FUND . . .		42,906
610	EXPENSES		
	FROM GENERAL REVENUE FUND	992,361	
	FROM ADMINISTRATIVE TRUST FUND . . .		491,826
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,083,200
611	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,227	
	FROM ADMINISTRATIVE TRUST FUND . . .		30,160
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		240,600
	FROM FEDERAL GRANTS TRUST FUND . . .		101,840
612	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	23,392	
613	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	488,509	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		200,000
	FROM FEDERAL GRANTS TRUST FUND . . .		347,650
615	SPECIAL CATEGORIES		
	TRANSFER TO GENERAL REVENUE FUND		
	FROM FEDERAL GRANTS TRUST FUND . . .		18,000,000

Funds in Specific Appropriation 615 are from reimbursements from the United States Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed $18,000,000, 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.

616	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	234,753	
617	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	11,394,077	
	FROM ADMINISTRATIVE TRUST FUND . . .		84,230
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		171,049
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	24,401,911	
	FROM TRUST FUNDS		23,845,883
	TOTAL POSITIONS	263.00	
	TOTAL ALL FUNDS		48,247,794

INFORMATION TECHNOLOGY

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From the funds in Specific Appropriations 618 through 628 the Department of Corrections shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and the Senate Policy and Steering Committee on Ways and Means for relocation and consolidation of its computing services and associated resources from the Justice Data Center into the Northwood Shared Resource Center (NSRC) by June 30, 2012, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

The department shall work with the Agency for Enterprise Information Technology (AEIT) and the NSRC in developing the plan, in accordance with the requirements of the AEIT, that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation. Beginning July 1, 2010, the department shall have one trustee with one vote on the NSRC Board of Trustees in Fiscal Year 2010-11.

Should the Justice Data Center be required to move from private leased space at Blairstone Road prior to the scheduled consolidation, the department may submit a plan with the necessary budget adjustments for approval by the Legislative Budget Commission.

By September 1, 2010, the Department of Corrections shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

	APPROVED SALARY RATE 8,344,077		
618	SALARIES AND BENEFITS POSITIONS 172.50		
	FROM GENERAL REVENUE FUND	9,592,939	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,109,302
619	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	13,500	
620	EXPENSES		
	FROM GENERAL REVENUE FUND	3,854,769	
	FROM ADMINISTRATIVE TRUST FUND . . .		24,518
621	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	192,851	
622	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,330,911	
	FROM ADMINISTRATIVE TRUST FUND . . .		7,812
623	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	34,992	
624	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	295,329	
625	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	1,590	

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626	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM GENERAL REVENUE FUND	226,334	
627	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	1,097,231	
628	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND	13,276	
	FROM ADMINISTRATIVE TRUST FUND . . .		7,148
TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	17,653,722	
	FROM TRUST FUNDS		1,148,780
	TOTAL POSITIONS	172.50	
	TOTAL ALL FUNDS		18,802,502

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds provided in Specific Appropriations 639, 651 and 663, a total of $1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. 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. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as Government State property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with the respect to any facility, to reimburse the Department of Management Services, and any predecessor agency, for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

From the funds in Specific Appropriations 639, 651, and 663, the Department of Management Services must ensure all future private prison contracts have explicit conditions that provide for the flexibility to adjust the percentages of special needs inmates to allow for changes in overall state populations of those inmates. Such percentages must be based on Department of Corrections' special needs inmate population forecasts, so that medical and mental healthcare costs are appropriately shared by both private and state prisons. All future private prison contracts must require each private prison vendor to report the same performance measures for inmate programs in private prisons as reported by the Department of Corrections for its comparable public institutions. As part of the private prisons contracting negotiations process, the Department of Corrections must consult with the Department of Management Services and each private prison vendor to establish high, reasonable, and achievable performance standards. All future private prison contracts must require each private prison vendor to develop inmate visitation policies and telephone rates for the private prisons that are consistent with those policies followed by the state's public prisons and encourage inmate family contact, as directed by Florida Statutes. Finally, the Department of Management Services must require all future private prison contracts to adhere to Department of Management Services' established criteria for awarding Privately Operated Institutions Inmate Welfare Trust Fund monies so that Department of Management Services' staff can verify such funds are being used appropriately.

From the funds in Specific Appropriations 639, 651, and 663, the Department of Management Services is directed to execute private prison contract amendments to each operations and management contract for each correctional facility currently under its supervision in order to provide the contractors the maximum flexibility to address recurring reductions in contract amounts. Such contract amendments shall expire on June 30, 2011. The Department of Management Services and the private prison contractors may amend the provisions of the private prison

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operating contracts limiting correctional officer overtime and part-time hours to be consistent with the overtime and part-time use as permitted by the Department of Corrections and the American Correctional Association standards. The contract amendments may also eliminate deductions for vacant positions as long as the services associated with the position are being provided through the use of overtime or part-time staff. The Department of Management Services may amend the private prison operating contracts to provide for the payment of costs associated with all inmate academic, vocational, behavioral and substance abuse programs from funds in the Privately Operated Institutions Inmate Welfare Trust Fund. Such contract amendments may not negatively affect the Department of Corrections.

The Department of Corrections may contract through a request for proposal for innovative and cost effective approaches to the financing, construction and operation of private correctional beds and services which can include any and all operations defined and requested by the department, including but not limited to financing, operations, housing, staffing, security, meals, medical care, transportation, education and substance abuse treatment services. The department may consult with other state agencies on the development of this request for proposal. Any resulting contract shall be funded through existing appropriations, and at a minimum provide for per diem costs at a cost of at least seven percent below that for which the department can incarcerate similar inmates. The department shall not implement this section in a manner that reduces participation in existing reentry programs.

From the funds provided in Specific Appropriations 603 through 781, the Department of Corrections shall implement an electronic time and attendance system in all four regions through a contract or contracts resulting from a competitive solicitation process in accordance with Chapter 287, Florida Statutes. The department shall report all implementation costs and cost savings projections related to the implementation of the electronic time and attendance system to the Speaker of the House of Representatives and the President of the Senate by March 1, 2010.

Specific Appropriations 603 through 781 include a reduction of $24,251,652 in recurring general revenue to close existing facilities in order to open 2,224 adult male correctional facility beds at Blackwater River Correctional Facility on November 1, 2010.

The Department of Corrections shall provide a transition plan to the chairs of the Full Appropriations Council on General Government & Health Care and the Senate Policy and Steering Committee on Ways and Means no later than July 1, 2010, which includes the list of the facilities to be closed to populate Blackwater River Correctional Facility.

From the funds in Specific Appropriations 603 through 781 the department shall identify 1,350 adult male custody beds that are medical grades 1 and 2, and also, psychological grades 1 and 2 with an average daily per-diem of $45.06 and implement cost efficiencies that will reduce the average daily per-diem to $42. The department may achieve these cost efficiencies by matching the types of inmates to the lowest cost of incarceration, i.e. prisons, work camps, or work release facilities. The department must contract for the operation of these 1,350 beds if necessary to reach the per-diem rate of $42.

From the funds in Specific Appropriations 603 through 781 the department shall develop a plan to reduce the operating costs of an additional 6,400 beds by five percent. This plan may use Department of Corrections beds or privatized beds. The department shall provide this plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2010.

Funds and positions in Specific Appropriations 603 through 724 and 747 through 781 support the state-wide inmate population increase. These funds and positions are sufficient to provide housing and security for 103,478 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 102,552 inmates.

Funds and positions in Specific Appropriations 603 through 724 and 747 through 781 are provided to address security needs for the additional

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prison populations expected in Fiscal Year 2010-2011 as projected by the Criminal Justice Estimating Conference.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE 348,163,985

629	SALARIES AND BENEFITS POSITIONS 9,762.00		
	FROM GENERAL REVENUE FUND	488,412,714	
	FROM FEDERAL GRANTS TRUST FUND . . .		354,536
630	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,556,616	
	FROM GRANTS AND DONATIONS TRUST FUND		91,000
631	EXPENSES		
	FROM GENERAL REVENUE FUND	31,616,729	
	FROM FEDERAL GRANTS TRUST FUND . . .		216,949
	FROM GRANTS AND DONATIONS TRUST FUND		240,389

From the funds in Specific Appropriation 631, $142,900 from recurring General Revenue is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.

From the funds provided in Specific Appropriation 631, the Department of Corrections may spend up to $400,000 from the General Revenue Fund for a public awareness campaign describing penalties for "10-20-Life" offenses and other criminal offenses.

632	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	385,347	
	FROM FEDERAL GRANTS TRUST FUND . . .		750,000
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
633	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	31,309,291	
	FROM FEDERAL GRANTS TRUST FUND . . .		83,421
634	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,825,440	
	FROM FEDERAL GRANTS TRUST FUND . . .		273,617
635	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	3,234,068	
	FROM FEDERAL GRANTS TRUST FUND . . .		118,172
636	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	1,223,270	
637	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	11,309,293	
	FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND		1,048,049
638	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	6,993,192	
639	SPECIAL CATEGORIES		
	PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND	113,616,093	
	FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		1,300,586

Funds provided in Specific Appropriation 639 include $22,604,737 for

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the operation of 2,224 adult male beds at Blackwater River Correctional Facility to be operational on November 1, 2010.

640 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 272,463

TOTAL: ADULT MALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 698,754,516
FROM TRUST FUNDS 4,726,719

TOTAL POSITIONS 9,762.00
TOTAL ALL FUNDS 703,481,235

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS

APPROVED SALARY RATE 44,142,352

641 SALARIES AND BENEFITS POSITIONS 1,246.00
FROM GENERAL REVENUE FUND 61,125,272
FROM GRANTS AND DONATIONS TRUST FUND 124,768

642 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 506,291
FROM GRANTS AND DONATIONS TRUST FUND 32,884

643 EXPENSES
FROM GENERAL REVENUE FUND 2,625,607
FROM GRANTS AND DONATIONS TRUST FUND 50,703

645 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,069,925
FROM GRANTS AND DONATIONS TRUST FUND 15,841

646 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 625,305

647 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 187,659
FROM GRANTS AND DONATIONS TRUST FUND 22,509

648 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 869,295

649 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,621,739

650 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 385,793

651 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 25,505,266
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 597,359

652 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,084

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 97,535,236
FROM TRUST FUNDS 844,064

TOTAL POSITIONS 1,246.00
TOTAL ALL FUNDS 98,379,300

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

APPROVED SALARY RATE 24,700,650

653 SALARIES AND BENEFITS POSITIONS 646.00
FROM GENERAL REVENUE FUND 42,652,837
FROM FEDERAL GRANTS TRUST FUND . . . 503,140

654 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 374,215

655 EXPENSES
FROM GENERAL REVENUE FUND 1,329,156
FROM FEDERAL GRANTS TRUST FUND . . . 24,336

656 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,185
FROM FEDERAL GRANTS TRUST FUND . . . 500,000

657 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,841,955
FROM FEDERAL GRANTS TRUST FUND . . . 483,667

658 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 29,599

659 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 217,664
FROM FEDERAL GRANTS TRUST FUND . . . 191,046

660 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 886,977

661 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,539,828

662 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 166,019

663 SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 19,831,975
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND 195,403

664 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,479
FROM FEDERAL GRANTS TRUST FUND . . . 1,197

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 68,899,889
FROM TRUST FUNDS 1,898,789

TOTAL POSITIONS 646.00
TOTAL ALL FUNDS 70,798,678

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SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE 181,750,978

665	SALARIES AND BENEFITS POSITIONS 5,117.00		
	FROM GENERAL REVENUE FUND	257,114,847	
666	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,408,809	
667	EXPENSES		
	FROM GENERAL REVENUE FUND	4,414,487	
668	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	13,507,668	
669	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,762,621	
670	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	1,175,477	
671	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	1,404,272	
672	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	9,315,684	
673	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	1,566,408	
674	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	44,602	
TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS			
	FROM GENERAL REVENUE FUND	291,714,875	
	TOTAL POSITIONS 5,117.00		
	TOTAL ALL FUNDS		291,714,875

RECEPTION CENTER OPERATIONS

APPROVED SALARY RATE 71,521,029

675	SALARIES AND BENEFITS POSITIONS 2,043.00		
	FROM GENERAL REVENUE FUND	103,166,770	
	FROM FEDERAL GRANTS TRUST FUND . . .		8,647
676	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	792,455	
677	EXPENSES		
	FROM GENERAL REVENUE FUND	4,222,611	
	FROM FEDERAL GRANTS TRUST FUND . . .		31,090
678	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		250,000
679	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	6,753,834	
	FROM FEDERAL GRANTS TRUST FUND . . .		32,449
680	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	87,126	

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681	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	364,703	
	FROM FEDERAL GRANTS TRUST FUND . . .		46,893
682	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	649,643	
683	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,346,689	
684	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	692,742	
685	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	23,617	
TOTAL: RECEPTION CENTER OPERATIONS			
	FROM GENERAL REVENUE FUND	119,100,190	
	FROM TRUST FUNDS		369,079
	TOTAL POSITIONS 2,043.00		
	TOTAL ALL FUNDS		119,469,269

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION

From the funds in Specific Appropriations 686 through 695, the current work release centers (WRCs) operated through the Central Florida Reception Center (Kissimmee, and Orlando WRCs), the South Florida Reception Center (Hollywood, Miami North, and Opa Locka WRCs), Columbia Correctional Institution (Lake City WRC), and Gainesville Correctional Institution (Santa Fe WRC) shall not exceed the per diem rate of $22.

Funds in Specific Appropriations 603 through 681 include reductions in recurring general revenue in the amount of $2,349,757 to accomplish this per diem for 863 current work release beds at these facilities and a total of 600 new beds which have been constructed at some of these facilities. The department must contract for the operation of these 1,463 beds if necessary to reach the per diem rate of $22. The Department of Corrections must determine whether to contract for the operation of these beds based on its ability to provide the same services required of community providers currently under contract with the department for work release program beds.

APPROVED SALARY RATE 36,620,618

686	SALARIES AND BENEFITS POSITIONS 1,008.00		
	FROM GENERAL REVENUE FUND	35,705,193	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		20,391,821
	FROM GRANTS AND DONATIONS TRUST FUND		50,560
687	EXPENSES		
	FROM GENERAL REVENUE FUND	585,129	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		641,597
	FROM GRANTS AND DONATIONS TRUST FUND		32,776
688	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	113,907	
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		49,020
689	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,227,970	

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690 LUMP SUM
CORRECTIONAL WORK PROGRAMS
POSITIONS 10.00
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 794,639

Funds and positions in Specific Appropriation 690 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).

691 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 12,063,420
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 284,315

692 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 204,143

693 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 185,998

694 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 786,179

695 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 288,121
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 154,935

TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION
FROM GENERAL REVENUE FUND 51,160,060
FROM TRUST FUNDS 22,399,663

TOTAL POSITIONS 1,018.00
TOTAL ALL FUNDS 73,559,723

ROAD PRISON OPERATIONS

APPROVED SALARY RATE 3,753,364

697 SALARIES AND BENEFITS POSITIONS 95.00
FROM GENERAL REVENUE FUND 369
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 5,602,030

698 EXPENSES
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 507,513

699 FOOD PRODUCTS
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 352,549

700 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 11,284

701 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 53,567

702 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 24,666

TOTAL: ROAD PRISON OPERATIONS
FROM GENERAL REVENUE FUND 369
FROM TRUST FUNDS 6,551,609

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 6,551,978

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 45,773,614

703 SALARIES AND BENEFITS POSITIONS 1,346.00
FROM GENERAL REVENUE FUND 63,421,383
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 65,526

704 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 275,763

705 EXPENSES
FROM GENERAL REVENUE FUND 2,922,180
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 1,959

706 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 21,578

707 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 31,653

708 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 64,862
FROM CORRECTIONAL WORK PROGRAM
TRUST FUND 1,655

709 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,247

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 66,746,666
FROM TRUST FUNDS 69,140

TOTAL POSITIONS 1,346.00
TOTAL ALL FUNDS 66,815,806

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,733,593

710 SALARIES AND BENEFITS POSITIONS 178.00
FROM GENERAL REVENUE FUND 12,164,023

711 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND 75,000

712 EXPENSES
FROM GENERAL REVENUE FUND 2,096,468
FROM GRANTS AND DONATIONS TRUST FUND 226,785
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND 2,678,250

713 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 256,642

714 SPECIAL CATEGORIES

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CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,307,104

From funds in Specific Appropriation 714, $1,000,000 in recurring general revenue is provided to continue the victim notification system (VINE).

715 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 100,080

716 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,738

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 15,927,055
FROM TRUST FUNDS 2,980,035

TOTAL POSITIONS 178.00
TOTAL ALL FUNDS 18,907,090

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

APPROVED SALARY RATE 18,750,601

717 SALARIES AND BENEFITS POSITIONS 591.00
FROM GENERAL REVENUE FUND 26,029,781

718 EXPENSES
FROM GENERAL REVENUE FUND 67,518,418

719 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 164,154

720 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 304,653

721 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,808,133

722 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 3,515,149

723 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,173

724 FIXED CAPITAL OUTLAY
CORRECTIONAL FACILITIES - LEASE PURCHASE
FROM GENERAL REVENUE FUND 72,394,048

Funds in Specific Appropriation 724 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:

Bay Correctional Facility	3,434,883
Moore Haven Correctional Facility (Glades County)	3,077,871
South Bay Correctional Facility (Palm Beach County)	5,058,610
Graceville Correctional Facility (Jackson County)	7,509,929
Okeechobee Correctional Institution	3,457,973
Blackwater River Correctional Facility (Santa Rosa County)	10,716,469
Gadsden Correctional Facility	3,057,308
Lake City Correctional Facility (Columbia County)	2,624,085
Demilly Correctional Institution (Polk County)	1,392,875
Sago Palm Work Camp (Palm Beach County)	1,479,625

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Various DOC Facility Projects - Series 2009 B and C Bonds... 30,584,420

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit (Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County), Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 174,748,509

TOTAL POSITIONS 591.00
TOTAL ALL FUNDS 174,748,509

PROGRAM: COMMUNITY CORRECTIONS

PROBATION SUPERVISION

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(11), Florida Statutes, the Office of State Courts Administrator (OSCA) and the Department of Corrections (DOC) shall jointly develop recommendations to enact a statewide Alternative Sentencing Program for new non-violent offenders who would be sentenced to prison, but could be diverted. An offender would be eligible for the program if, at a minimum, his or her primary offense was a third-degree felony; the offender's total sentence points score is between 22.1 and 44 points; the offender has not been convicted or previously convicted of a forcible felony as defined in section 776.08, F.S., excluding any third-degree felony violation under chapter 810, F.S.; and the offender's primary offense does not require a minimum mandatory sentence. This program would be for new convictions and is not intended to be used as an early release initiative. The Alternative Sentencing Program recommendations will include the use of local law enforcement, day reporting centers, community-based services, DOC community correction supervision and Global Positioning Systems (GPS) to track offenders. The OSCA/DOC shall submit its Alternative Sentencing Program's recommendations, including all related costs and savings, to the President of the Senate and the Speaker of the House of Representatives no later than December 1, 2010.

APPROVED SALARY RATE 76,181,648

740A SALARIES AND BENEFITS POSITIONS 2,048.00
FROM GENERAL REVENUE FUND 106,610,333
FROM FEDERAL GRANTS TRUST FUND . . . 27,702

740B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 42,455

740C EXPENSES
FROM GENERAL REVENUE FUND 33,045
FROM FEDERAL GRANTS TRUST FUND . . . 14,108

740D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 316,385

740E SPECIAL CATEGORIES
BUILDING/OFFICE RENT PAYMENTS
FROM GENERAL REVENUE FUND 13,775,188

Funds in Specific Appropriation 740E are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on June 30, 2010. Price level increases are not provided for rent payments for Department of Corrections' private leases in the 2010-11 fiscal year. No other funds are appropriated or shall be transferred by the

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department for such increases.

740F SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 83,919

740G SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,804,163

740H SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 300,704

740I SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 150,000

740J SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,520,000

TOTAL: PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 123,966,192
FROM TRUST FUNDS 1,711,810

TOTAL POSITIONS 2,048.00
TOTAL ALL FUNDS 125,678,002

DRUG OFFENDER PROBATION SUPERVISION

APPROVED SALARY RATE 13,131,253

740K SALARIES AND BENEFITS POSITIONS 302.00
FROM GENERAL REVENUE FUND 19,487,744

740L EXPENSES
FROM GENERAL REVENUE FUND 1,152,703

740M OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,310

740N SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,357

740O SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 57,537

TOTAL: DRUG OFFENDER PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 20,724,651

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 20,724,651

PRE TRIAL INTERVENTION SUPERVISION

APPROVED SALARY RATE 2,774,063

740P SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 4,119,257

740Q EXPENSES
FROM GENERAL REVENUE FUND 290,893

740R SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,565

740S SPECIAL CATEGORIES

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SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 18,467

TOTAL: PRE TRIAL INTERVENTION SUPERVISION
FROM GENERAL REVENUE FUND 4,430,182

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,430,182

COMMUNITY CONTROL SUPERVISION

APPROVED SALARY RATE 17,369,133

740T SALARIES AND BENEFITS POSITIONS 401.00
FROM GENERAL REVENUE FUND 26,222,210
FROM FEDERAL GRANTS TRUST FUND . . . 130,932

740U EXPENSES
FROM GENERAL REVENUE FUND 281,045
FROM FEDERAL GRANTS TRUST FUND . . . 50,609

740V SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 13,711

740W SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 120,503

740X SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 6,776,469

TOTAL: COMMUNITY CONTROL SUPERVISION
FROM GENERAL REVENUE FUND 33,413,938
FROM TRUST FUNDS 181,541

TOTAL POSITIONS 401.00
TOTAL ALL FUNDS 33,595,479

POST PRISON RELEASE SUPERVISION

APPROVED SALARY RATE 15,285,754

740Y SALARIES AND BENEFITS POSITIONS 318.00
FROM GENERAL REVENUE FUND 22,459,154
FROM FEDERAL GRANTS TRUST FUND . . . 24,588

740Z EXPENSES
FROM GENERAL REVENUE FUND 1,082,928
FROM FEDERAL GRANTS TRUST FUND . . . 212,243

740AA SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,488

740AB SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 68,203
FROM FEDERAL GRANTS TRUST FUND . . . 30,030

TOTAL: POST PRISON RELEASE SUPERVISION
FROM GENERAL REVENUE FUND 23,615,773
FROM TRUST FUNDS 266,861

TOTAL POSITIONS 318.00
TOTAL ALL FUNDS 23,882,634

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND
TREATMENT SERVICES

741 EXPENSES
FROM GENERAL REVENUE FUND 300,000

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741A SPECIAL CATEGORIES
CONTRACT DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 1,000,000

742 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,963,104

743 SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 226,004

744 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG
TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 12,215,555
FROM FEDERAL GRANTS TRUST FUND . . . 550,000

From the funds in Specific Appropriation 744, $600,000 in recurring general revenue 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 18,704,663
FROM TRUST FUNDS 550,000

TOTAL ALL FUNDS 19,254,663

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 1,342,330

744A SALARIES AND BENEFITS POSITIONS 39.00
FROM GENERAL REVENUE FUND 2,250,752

744B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 18,490

744C EXPENSES
FROM GENERAL REVENUE FUND 113,019

744D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 26,284

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 2,408,545

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 2,408,545

COMMUNITY FACILITY OPERATIONS

745 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,816,521

746 SPECIAL CATEGORIES
JUDICIAL/DEPARTMENT OF CORRECTIONS
SENTENCING ALTERNATIVES
FROM GENERAL REVENUE FUND 700,143

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(11), Florida Statutes, $700,143 in recurring general revenue is provided in Specific Appropriation 746 for Judicial/DOC pilot programs for offenders who would be sentenced to prison, but could be diverted to appropriate programs which allow the offender to retain community support, access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment. These treatment programs may include drug treatment, residential and outpatient treatment programming, day reporting or other services to reduce recidivism.

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These pilot programs are to be initiated in communities where the local court and Department of Corrections, in conjunction with community stakeholders, agree to implement evidence-based practices and graduated incentives that will result in a reduction in prison admission for that community.

TOTAL: COMMUNITY FACILITY OPERATIONS
FROM GENERAL REVENUE FUND 3,516,664

TOTAL ALL FUNDS 3,516,664

PROGRAM: HEALTH SERVICES

INMATE HEALTH SERVICES

From funds in Specific Appropriations 747 through 756, the Department of Corrections shall issue an Invitation to Negotiate for dialysis services for Adult Male Custody Operations. To the maximum extent feasible, the department must ensure that the resulting contract benefits Florida's economy and workforce.

The Department of Corrections shall conduct a study to examine the current use of the 340B Drug Discount Program, and determine if cost savings can be achieved through expanding the department's participation in the program. The department shall report its findings to the Governor, the Speaker of the House of Representatives, and the President of the Senate by December 1, 2010.

APPROVED SALARY RATE 128,455,177

747 SALARIES AND BENEFITS POSITIONS 2,940.00
FROM GENERAL REVENUE FUND 178,228,742

748 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,226,806

749 EXPENSES
FROM GENERAL REVENUE FUND 14,102,115

750 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 249,229

751 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 786,236

752 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 554,427

753 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 123,318,591
FROM ADMINISTRATIVE TRUST FUND . . . 116,000

From the funds in Specific Appropriation 753, $100,000 is provided for Hepatitis B vaccinations for inmates.

754 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 26,431,048

755 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS
FROM GENERAL REVENUE FUND 13,320,577

756 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 440,191

TOTAL: INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 376,657,962

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APPROPRIATION
FROM TRUST FUNDS 116,000

TOTAL POSITIONS 2,940.00
TOTAL ALL FUNDS 376,773,962

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

APPROVED SALARY RATE 527,639

757 SALARIES AND BENEFITS POSITIONS 11.50
FROM GENERAL REVENUE FUND 104,562
FROM FEDERAL GRANTS TRUST FUND . . . 518,173

758 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 184,207

759 EXPENSES
FROM GENERAL REVENUE FUND 179,547
FROM FEDERAL GRANTS TRUST FUND . . . 721,494

760 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 27,019

761 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 2,204,554

762 SPECIAL CATEGORIES
TREATMENT OF INMATES - INFECTIOUS DISEASE
DRUGS
FROM GENERAL REVENUE FUND 30,457,566

TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES
FROM GENERAL REVENUE FUND 32,946,229
FROM TRUST FUNDS 1,450,893

TOTAL POSITIONS 11.50
TOTAL ALL FUNDS 34,397,122

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND
TREATMENT SERVICES

APPROVED SALARY RATE 1,569,267

763 SALARIES AND BENEFITS POSITIONS 35.00
FROM GENERAL REVENUE FUND 1,082,158
FROM FEDERAL GRANTS TRUST FUND . . . 786,808

764 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 4,809

765 EXPENSES
FROM GENERAL REVENUE FUND 71,548
FROM FEDERAL GRANTS TRUST FUND . . . 622,865

766 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 73,600

767 SPECIAL CATEGORIES
CONTRACT DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 1,261,333
FROM FEDERAL GRANTS TRUST FUND . . . 3,072,341

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND
TREATMENT SERVICES
FROM GENERAL REVENUE FUND 2,415,039
FROM TRUST FUNDS 4,560,423

TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 6,975,462

BASIC EDUCATION SKILLS

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APPROVED SALARY RATE 14,997,371

769 SALARIES AND BENEFITS POSITIONS 348.00
FROM GENERAL REVENUE FUND 15,010,115
FROM FEDERAL GRANTS TRUST FUND . . . 2,514,771

770 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 497,186
FROM FEDERAL GRANTS TRUST FUND . . . 516,172

771 EXPENSES
FROM GENERAL REVENUE FUND 1,495,294
FROM FEDERAL GRANTS TRUST FUND . . . 1,933,823

772 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 472,386

773 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 39,226
FROM FEDERAL GRANTS TRUST FUND . . . 1,402,052

774 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 70,486

775 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 17,736
FROM FEDERAL GRANTS TRUST FUND . . . 1,596

TOTAL: BASIC EDUCATION SKILLS
FROM GENERAL REVENUE FUND 17,130,043
FROM TRUST FUNDS 6,840,800

TOTAL POSITIONS 348.00
TOTAL ALL FUNDS 23,970,843

ADULT OFFENDER TRANSITION, REHABILITATION AND
SUPPORT

APPROVED SALARY RATE 3,419,738

776 SALARIES AND BENEFITS POSITIONS 61.00
FROM GENERAL REVENUE FUND 4,505,724
FROM FEDERAL GRANTS TRUST FUND . . . 448,082

777 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 120,274

778 EXPENSES
FROM GENERAL REVENUE FUND 395,144
FROM FEDERAL GRANTS TRUST FUND . . . 119,152

779 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 3,000

780 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,830,057
FROM FEDERAL GRANTS TRUST FUND . . . 324,848

781 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,705

TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND
SUPPORT
FROM GENERAL REVENUE FUND 7,854,904
FROM TRUST FUNDS 895,082

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TOTAL POSITIONS	61.00	
TOTAL ALL FUNDS		8,749,986
TOTAL: CORRECTIONS, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	2,309,521,404	
FROM TRUST FUNDS		83,653,269
TOTAL POSITIONS	29,350.00	
TOTAL ALL FUNDS		2,393,174,673
TOTAL APPROVED SALARY RATE	1,091,357,797	

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,652,290

782 SALARIES AND BENEFITS POSITIONS 89.00
FROM GENERAL REVENUE FUND 4,817,106

783 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,776

784 EXPENSES
FROM GENERAL REVENUE FUND 781,559
FROM GRANTS AND DONATIONS TRUST
FUND 428,416

785 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 59,164

785A LUMP SUM
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS
POSITIONS 14.00

The positions in Specific Appropriation 785A are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2010-2011 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Such transfers are contingent upon the Justice Administrative Commission notifying the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care 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 consistent with the salaries provided for in the grant.

785B SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN
REVIEW PANEL
FROM GENERAL REVENUE FUND 92,160
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

785C SPECIAL CATEGORIES
SEXUAL PREDATOR CIVIL COMMITMENT
LITIGATION COSTS
FROM GENERAL REVENUE FUND 3,576,411

Funds in Specific Appropriation 785C 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 maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is $200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission is authorized to pay up to $5,000 per case for case-related expenses incurred by the State Attorney, the Public Defender, or the criminal conflict and civil regional counsel, 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 Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care 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.

786 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 86,520

786A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF FINANCIAL
SERVICES - AUDITS OF CLERK BUDGETS
FROM GENERAL REVENUE FUND 68,924

786B SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,645,299

Funds in Specific Appropriation 786B 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	866,787
2nd Judicial Circuit	691,361
3rd Judicial Circuit	155,388
4th Judicial Circuit	1,340,788
5th Judicial Circuit	917,535
6th Judicial Circuit	1,252,060
7th Judicial Circuit	711,486
8th Judicial Circuit	504,345
9th Judicial Circuit	1,211,755
10th Judicial Circuit	797,296
11th Judicial Circuit	3,494,062
12th Judicial Circuit	681,836
13th Judicial Circuit	1,990,064
14th Judicial Circuit	345,938
15th Judicial Circuit	881,379
16th Judicial Circuit	120,879
17th Judicial Circuit	1,447,129
18th Judicial Circuit	678,076
19th Judicial Circuit	633,468
20th Judicial Circuit	923,667

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 Judicial Circuit	190,611
2nd Judicial Circuit	323,698
3rd Judicial Circuit	52,251
6th Judicial Circuit	103,493
7th Judicial Circuit	37,310
8th Judicial Circuit	83,798
9th Judicial Circuit	481,878
10th Judicial Circuit	68,975
11th Judicial Circuit	121,996
12th Judicial Circuit	153,205
13th Judicial Circuit	784,106
14th Judicial Circuit	134,089
15th Judicial Circuit	93,646
16th Judicial Circuit	74,983
17th Judicial Circuit	60,851

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
786C SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 9,351,694

Funds in Specific Appropriation 786C are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports of these case payments to the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care, by 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 and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.	400
CINS/FINS - Ch. 984, F.S.	750
CIVIL APPEALS	400
DEPENDENCY - Up to 1 Year	800
DEPENDENCY - Each Year after 1st Year	200
DEPENDENCY APPEALS	2,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.	400
EMANCIPATION - Section 743.015, F.S.	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.	400
GUARDIANSHIP - Ch. 744, F.S.	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.	400
PARENTAL NOTIFICATION OF ABORTION ACT	400
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS APPEALS	2,000
TUBERCULOSIS - Ch. 392, F.S.	300

786D SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 60,302

786E SPECIAL CATEGORIES
CRIMINAL CONFLICT CASE COSTS
FROM GENERAL REVENUE FUND 16,476,095

Funds in Specific Appropriation 786E 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 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 and performance measures for court-appointed counsel including: average time to complete cases by case type, number of bar complaints for state paid cases, percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care by judicial circuit.

From the funds in Specific Appropriation 786E, a total of $216,934 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.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Sections 3.850 and 3.800, F.S.	1,000
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL)	15,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL)	15,000
CAPITAL SEXUAL BATTERY	2,000
CAPITAL APPEALS	2,000
CONTEMPT PROCEEDINGS	400
CRIMINAL TRAFFIC	400
EXTRADITION	500
FELONY - LIFE	2,500
FELONY - PUNISHABLE BY LIFE	2,000
FELONY 1ST DEGREE	1,500
FELONY 2ND DEGREE	1,000
FELONY 3RD DEGREE	750
FELONY APPEALS	1,500
JUVENILE DELINQUENCY - 1ST DEGREE FELONY	600
JUVENILE DELINQUENCY - 2ND DEGREE	400
JUVENILE DELINQUENCY - 3RD DEGREE	300
JUVENILE DELINQUENCY - FELONY LIFE	700
JUVENILE DELINQUENCY - MISDEMEANOR	300
JUVENILE DELINQUENCY APPEALS	1,000
MISDEMEANOR	400
MISDEMEANOR APPEALS	750
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC)	500
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC)	300
VIOLATION OF PROBATION (VOCC) JUVENILE DELINQUENCY	300

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified, shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators for criminal conflict cases is $40 per hour. The maximum amount to be paid for court reporting and transcribing costs for criminal conflict cases is as follows:

1. Depositions Appearance fees: 1st hour: $50.00; thereafter $25.00 per hour

2. Deposition transcript fee (Original & one copy):
10 business day delivery: $2.95 per page
5 business day delivery: $5.00 per page
24 hours delivery: $7.00 per page
Additional copies: $1.00 per page

3. Appellate/hearing transcript fee (Original & all copies needed with minimum 2):
10 business day delivery: $3.95 per page
5 business day delivery: $6.00 per page
24 hours delivery: $8.00 per page
Copies (when original previously ordered): $1.00 per page.

4. Transcription from tapes or audio recordings (other than depositions or hearings): Either $35 per hour listening fee or $3.00 per page whichever is greater.

5. Video Services: $100 per hour per location.

When a defense attorney orders a transcript, the court reporter shall bill either the number of pages for the transcript or the applicable appearance or listening fee, whichever is greater.

786F SPECIAL CATEGORIES
STATE ATTORNEY DUE PROCESS COSTS

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 11,280,680

Funds in Specific Appropriation 786F 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	667,530
2nd Judicial Circuit	354,970
3rd Judicial Circuit	132,010
4th Judicial Circuit	487,570
5th Judicial Circuit	366,735
6th Judicial Circuit	660,495
7th Judicial Circuit	497,000
8th Judicial Circuit	249,950
9th Judicial Circuit	523,430
10th Judicial Circuit	325,710
11th Judicial Circuit	2,332,530
12th Judicial Circuit	294,375
13th Judicial Circuit	627,925
14th Judicial Circuit	124,410
15th Judicial Circuit	782,030
16th Judicial Circuit	96,650
17th Judicial Circuit	1,394,540
18th Judicial Circuit	397,925
19th Judicial Circuit	285,480
20th Judicial Circuit	679,415

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:

1st Judicial Circuit	18,232
2nd Judicial Circuit	16,650
3rd Judicial Circuit	10,456
6th Judicial Circuit	25,443
7th Judicial Circuit	12,818
8th Judicial Circuit	21,937
9th Judicial Circuit	26,007
10th Judicial Circuit	3,980
11th Judicial Circuit	426,986
12th Judicial Circuit	19,650
13th Judicial Circuit	45,716
15th Judicial Circuit	61,252
16th Judicial Circuit	4,315
17th Judicial Circuit	20,081

786G SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 12,222,388

Funds in Specific Appropriation 786G are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007.

786H SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 33,529
FROM GRANTS AND DONATIONS TRUST
FUND 3,000

786I SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 952,054

787 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,759,966
FROM CHILD SUPPORT TRUST FUND . . . 84,459
FROM GRANTS AND DONATIONS TRUST
FUND 88,520
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 25,853

From the funds provided in Specific Appropriation 787, 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.

787A SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF FINANCIAL
SERVICES FOR THE POSTCONVICTION CAPITAL
COLLATERAL CASES - REGISTRY ATTORNEYS
FROM GENERAL REVENUE FUND 1,765,996

787B QUALIFIED EXPENDITURE CATEGORY
DRUG COURT EXPANSION - STATE ATTORNEY
FROM GRANTS AND DONATIONS TRUST
FUND 750,000

787C QUALIFIED EXPENDITURE CATEGORY
DRUG COURT - EXPANSION PUBLIC DEFENDER
FROM GRANTS AND DONATIONS TRUST
FUND 375,000

787D DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 17,931

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 84,067,554
FROM TRUST FUNDS 2,055,248

TOTAL POSITIONS 103.00
TOTAL ALL FUNDS 86,122,802

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 20,142,212

805 SALARIES AND BENEFITS POSITIONS 539.00
FROM GENERAL REVENUE FUND 26,264,230

Funds and positions in Specific Appropriations 805 through 812A, shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

806 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 125,000
FROM GRANTS AND DONATIONS TRUST
FUND 150,000

807 EXPENSES
FROM GENERAL REVENUE FUND 1,479,307
FROM GRANTS AND DONATIONS TRUST
FUND 50,249

808 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,000
FROM GRANTS AND DONATIONS TRUST
FUND 10,000

809 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 892,656

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION

810 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,473,393
FROM GRANTS AND DONATIONS TRUST FUND 110,000

811 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 401,316

812 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 42,057

812A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 85,966

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND 30,787,925
FROM TRUST FUNDS 320,249

TOTAL POSITIONS 539.00
TOTAL ALL FUNDS 31,108,174

PROGRAM: CLERKS OF COURT

CLERKS OF COURT

813 SPECIAL CATEGORIES
GRANTS & AIDS - CLERKS OF COURT
FROM THE CLERKS OF THE COURT TRUST FUND 451,380,312

The budget for each clerk of court and the approved unit costs required under section 28.36, F.S., for the state fiscal year 2010-2011 are contained in the document entitled "2010-2011 Clerk of Court Unit Cost Budget" dated April 21, 2010, and on file with the Secretary of the Senate and the Clerk of the House of Representatives. This document is hereby incorporated by reference into the 2010-2011 General Appropriations Act.

From the funds in Specific Appropriation 813, the clerks of court shall accelerate the implementation of the electronic filing requirements of section 16 of chapter 2009-61, Laws of Florida, by implementing five of the ten trial court divisions by January 1, 2011. The ten divisions are defined pursuant to subsection 28.36, (3), Florida Statutes.

CLERKS OF COURT OPERATIONS CORPORATION

APPROVED SALARY RATE 534,991

814 SALARIES AND BENEFITS POSITIONS 7.00
FROM THE CLERKS OF THE COURT TRUST FUND 691,845

815 OTHER PERSONAL SERVICES
FROM THE CLERKS OF THE COURT TRUST FUND 30,000

816 EXPENSES
FROM THE CLERKS OF THE COURT TRUST FUND 320,139

817 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM THE CLERKS OF THE COURT TRUST FUND 690,000

818 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FROM THE CLERKS OF THE COURT TRUST FUND 2,016

TOTAL: CLERKS OF COURT OPERATIONS CORPORATION
FROM TRUST FUNDS 1,734,000

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 1,734,000

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 820 through 960. Funding for this office shall not exceed $200,000 in general revenue and $200,000 from the Grants and Donations Trust Fund.

From the funds in Specific Appropriations 820 through 960, the Florida Prosecuting Attorneys Association (FPAA) shall review its funding formula and current recurring funding levels of the 20 state attorneys, including both general revenue and trust funds. The review shall compare the recurring funding levels of each state attorney in the 2010-11 fiscal year, to a model which redistributes this level of funding among the state attorneys using the current criteria in the FPAA formula. The review shall also examine state attorney funding per capita, and per case, and the association shall report the findings and any recommendations necessary to correct any funding inequities should they exist, to the President of the Senate and the Speaker of the House of Representatives by January 1, 2011.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,322,898

820 SALARIES AND BENEFITS POSITIONS 236.75
FROM GENERAL REVENUE FUND 11,199,799
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,524,385
FROM GRANTS AND DONATIONS TRUST FUND 865,412

821 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,415
FROM STATE ATTORNEYS REVENUE TRUST FUND 68,800
FROM GRANTS AND DONATIONS TRUST FUND 31,200

822 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 18,227

824 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 878,726
FROM STATE ATTORNEYS REVENUE TRUST FUND 88,593
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 9,047
FROM GRANTS AND DONATIONS TRUST FUND 40,176

825 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,223
FROM STATE ATTORNEYS REVENUE TRUST FUND 258
FROM GRANTS AND DONATIONS TRUST FUND 117

826 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,874

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

827 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 172,748

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,163,037
FROM TRUST FUNDS 2,818,963

TOTAL POSITIONS 236.75
TOTAL ALL FUNDS 14,982,000

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,670,409

828 SALARIES AND BENEFITS POSITIONS 116.00
FROM GENERAL REVENUE FUND 6,460,536
FROM STATE ATTORNEYS REVENUE TRUST FUND 633,135
FROM GRANTS AND DONATIONS TRUST FUND 238,935

829 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,381
FROM STATE ATTORNEYS REVENUE TRUST FUND 75,833
FROM GRANTS AND DONATIONS TRUST FUND 65,647

830 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 53,526

831 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 358,076
FROM STATE ATTORNEYS REVENUE TRUST FUND 120,133
FROM GRANTS AND DONATIONS TRUST FUND 103,995

832 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 20,007

833 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,093

834 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 14,408

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,872,093
FROM TRUST FUNDS 1,305,612

TOTAL POSITIONS 116.00
TOTAL ALL FUNDS 8,177,705

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,405,250

835 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 3,763,316
FROM STATE ATTORNEYS REVENUE TRUST FUND 508,490
FROM GRANTS AND DONATIONS TRUST FUND 238,935

836 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,857
FROM STATE ATTORNEYS REVENUE TRUST FUND 6,372
FROM GRANTS AND DONATIONS TRUST FUND 5,068

837 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 67,840

838 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 220,312
FROM STATE ATTORNEYS REVENUE TRUST FUND 24,407
FROM GRANTS AND DONATIONS TRUST FUND 76,701

839 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 20,301

840 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,034

841 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 11,495

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,017,820
FROM TRUST FUNDS 939,308

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,957,128

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,708,197

842 SALARIES AND BENEFITS POSITIONS 370.00
FROM GENERAL REVENUE FUND 18,484,865
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,791,018
FROM GRANTS AND DONATIONS TRUST FUND 1,438,318

From the positions and funds provided in Specific Appropriation 842, two full-time equivalent positions with associated rate of 95,646 and $138,618 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

843 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 139,844
FROM STATE ATTORNEYS REVENUE TRUST FUND 178,090
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 55,000
FROM GRANTS AND DONATIONS TRUST FUND 788,118

844 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 35,876

845 SPECIAL CATEGORIES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION

STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 294,321
FROM STATE ATTORNEYS REVENUE TRUST FUND 326,749
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 110,800
FROM GRANTS AND DONATIONS TRUST FUND 455,515

846 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 117,724

847 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 11,404

848 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 110,164

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 19,048,158
FROM TRUST FUNDS 5,289,648

TOTAL POSITIONS 370.00
TOTAL ALL FUNDS 24,337,806

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,312,521

849 SALARIES AND BENEFITS POSITIONS 225.00
FROM GENERAL REVENUE FUND 12,681,508
FROM STATE ATTORNEYS REVENUE TRUST FUND 670,774
FROM GRANTS AND DONATIONS TRUST FUND 1,448,527

850 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,599
FROM STATE ATTORNEYS REVENUE TRUST FUND 37,063
FROM GRANTS AND DONATIONS TRUST FUND 42,131

851 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 537,969
FROM STATE ATTORNEYS REVENUE TRUST FUND 16,135
FROM GRANTS AND DONATIONS TRUST FUND 18,341

852 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,541
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,640
FROM GRANTS AND DONATIONS TRUST FUND 1,864

853 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 15,740

854 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 36,080

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

855 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 31,362

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,309,357
FROM TRUST FUNDS 2,303,917

TOTAL POSITIONS 225.00
TOTAL ALL FUNDS 15,613,274

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 22,246,299

856 SALARIES AND BENEFITS POSITIONS 475.00
FROM GENERAL REVENUE FUND 23,285,557
FROM STATE ATTORNEYS REVENUE TRUST FUND 2,252,082
FROM GRANTS AND DONATIONS TRUST FUND 3,911,277

857 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 86,869
FROM STATE ATTORNEYS REVENUE TRUST FUND 21,925
FROM GRANTS AND DONATIONS TRUST FUND 64,737

858 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 18,227

859 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 494,686
FROM STATE ATTORNEYS REVENUE TRUST FUND 194,423
FROM GRANTS AND DONATIONS TRUST FUND 574,048

860 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 82,995

861 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 22,724

862 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 109,631

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 23,972,831
FROM TRUST FUNDS 7,146,350

TOTAL POSITIONS 475.00
TOTAL ALL FUNDS 31,119,181

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,135,986

863 SALARIES AND BENEFITS POSITIONS 242.00
FROM GENERAL REVENUE FUND 12,289,780
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,913,578

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST
FUND 451,132

864 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 39,274
FROM STATE ATTORNEYS REVENUE TRUST
FUND 73,887
FROM GRANTS AND DONATIONS TRUST
FUND 9,980

865 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 35,876

866 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 628,705
FROM STATE ATTORNEYS REVENUE TRUST
FUND 334,440
FROM GRANTS AND DONATIONS TRUST
FUND 158,681

867 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 42,146

868 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,094
FROM STATE ATTORNEYS REVENUE TRUST
FUND 17,620
FROM GRANTS AND DONATIONS TRUST
FUND 2,380

869 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 31,362

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 13,005,999
FROM TRUST FUNDS 3,028,936

TOTAL POSITIONS 242.00
TOTAL ALL FUNDS 16,034,935

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,247,489

870 SALARIES AND BENEFITS POSITIONS 139.00
FROM GENERAL REVENUE FUND 7,210,847
FROM STATE ATTORNEYS REVENUE TRUST
FUND 658,240
FROM GRANTS AND DONATIONS TRUST
FUND 422,917

871 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,533
FROM STATE ATTORNEYS REVENUE TRUST
FUND 54,605
FROM GRANTS AND DONATIONS TRUST
FUND 34,329

872 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 18,227

873 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 296,172
FROM STATE ATTORNEYS REVENUE TRUST
FUND 14,380
FROM GRANTS AND DONATIONS TRUST
FUND 9,040

874 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 52,588

875 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 13,506

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,581,646
FROM TRUST FUNDS 1,211,738

TOTAL POSITIONS 139.00
TOTAL ALL FUNDS 8,793,384

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,384,031

876 SALARIES AND BENEFITS POSITIONS 330.50
FROM GENERAL REVENUE FUND 18,290,646
FROM STATE ATTORNEYS REVENUE TRUST
FUND 1,246,389
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 157,583
FROM GRANTS AND DONATIONS TRUST
FUND 859,638

From the positions and funds provided in Specific Appropriation 876, five full-time equivalent positions with associated salary rate of 268,146 and $388,617 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

877 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 140,793
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 63,000
FROM GRANTS AND DONATIONS TRUST
FUND 1,000

878 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 18,227

879 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 941,654
FROM STATE ATTORNEYS REVENUE TRUST
FUND 183,473
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 35,225
FROM GRANTS AND DONATIONS TRUST
FUND 17,641

880 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,109
FROM STATE ATTORNEYS REVENUE TRUST
FUND 15,742
FROM GRANTS AND DONATIONS TRUST
FUND 864

881 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 26,486

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

882 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 1,325

883 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 157,615

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 19,470,688
FROM TRUST FUNDS 2,757,722

TOTAL POSITIONS 330.50
TOTAL ALL FUNDS 22,228,410

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,716,025

884 SALARIES AND BENEFITS POSITIONS 216.00
FROM GENERAL REVENUE FUND 10,950,408
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,358,440
FROM GRANTS AND DONATIONS TRUST FUND 646,395

885 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 31,189
FROM STATE ATTORNEYS REVENUE TRUST FUND 65,818
FROM GRANTS AND DONATIONS TRUST FUND 55,841

886 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 18,227

887 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 227,396
FROM STATE ATTORNEYS REVENUE TRUST FUND 193,494
FROM GRANTS AND DONATIONS TRUST FUND 164,166

888 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,312

889 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 14,365

890 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 72,132

TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,263,670
FROM TRUST FUNDS 2,574,513

TOTAL POSITIONS 216.00
TOTAL ALL FUNDS 13,838,183

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 53,027,804

891 SALARIES AND BENEFITS POSITIONS 1,264.00
FROM GENERAL REVENUE FUND 43,364,484
FROM STATE ATTORNEYS REVENUE TRUST FUND 3,197,916
FROM CHILD SUPPORT TRUST FUND . . . 18,396,932
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 207,294
FROM GRANTS AND DONATIONS TRUST FUND 3,984,836

From the positions and funds provided in Specific Appropriation 891, two full-time equivalent positions with associated salary rate of 97,386 and $141,134 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, four full-time equivalent positions with associated salary rate of 192,169 and $278,507 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud. This transfer authority may not be used to fund attorneys and paralegals that prosecute crimes other than workers compensation insurance fraud.

892 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 239,005
FROM STATE ATTORNEYS REVENUE TRUST FUND 54,922
FROM CHILD SUPPORT TRUST FUND . . . 868,300
FROM GRANTS AND DONATIONS TRUST FUND 231,131

893 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 18,227

894 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 806,040
FROM STATE ATTORNEYS REVENUE TRUST FUND 210,090
FROM CHILD SUPPORT TRUST FUND . . . 3,894,263
FROM CIVIL RICO TRUST FUND 200,020
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 203,700
FROM GRANTS AND DONATIONS TRUST FUND 1,401,041

895 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 391,606
FROM CHILD SUPPORT TRUST FUND . . . 22,384

896 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 22,221

896A SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 568,063

896B SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 1,763,336

TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 44,823,356
FROM TRUST FUNDS 35,222,455

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL POSITIONS 1,264.00
TOTAL ALL FUNDS 80,045,811

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,359,766

897 SALARIES AND BENEFITS POSITIONS 182.00
FROM GENERAL REVENUE FUND 10,129,987
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,233,585

898 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 23,211

899 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 35,876

900 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 415,831
FROM STATE ATTORNEYS REVENUE TRUST FUND 82,838

901 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,983
FROM STATE ATTORNEYS REVENUE TRUST FUND 3,000

902 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,461

TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 10,633,473
FROM TRUST FUNDS 1,355,299

TOTAL POSITIONS 182.00
TOTAL ALL FUNDS 11,988,772

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,364,680

903 SALARIES AND BENEFITS POSITIONS 351.00
FROM GENERAL REVENUE FUND 18,263,585
FROM STATE ATTORNEYS REVENUE TRUST FUND 2,051,410
FROM GRANTS AND DONATIONS TRUST FUND 536,566

From the positions and funds provided in Specific Appropriation 903, two full-time equivalent positions with associated salary rate of 109,446 and $158,617 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

904 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 119,228
FROM STATE ATTORNEYS REVENUE TRUST FUND 11,122
FROM GRANTS AND DONATIONS TRUST FUND 7,755

905 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 662,279
FROM STATE ATTORNEYS REVENUE TRUST FUND 166,487

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST FUND 81,630

906 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 90,428
FROM STATE ATTORNEYS REVENUE TRUST FUND 6,890
FROM GRANTS AND DONATIONS TRUST FUND 3,379

907 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,827

908 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 405,234

TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 19,142,347
FROM TRUST FUNDS 3,270,473

TOTAL POSITIONS 351.00
TOTAL ALL FUNDS 22,412,820

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,483,678

909 SALARIES AND BENEFITS POSITIONS 123.00
FROM GENERAL REVENUE FUND 6,698,037
FROM STATE ATTORNEYS REVENUE TRUST FUND 460,146
FROM GRANTS AND DONATIONS TRUST FUND 443,857

910 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,899
FROM STATE ATTORNEYS REVENUE TRUST FUND 15,129
FROM GRANTS AND DONATIONS TRUST FUND 14,771

911 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 18,227

912 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 243,953
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,689
FROM GRANTS AND DONATIONS TRUST FUND 1,649

913 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 45,078

914 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,697

915 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 11,660

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,004,664
FROM TRUST FUNDS 967,128

TOTAL POSITIONS 123.00
TOTAL ALL FUNDS 7,971,792

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,704,734

916 SALARIES AND BENEFITS POSITIONS 329.00
FROM GENERAL REVENUE FUND 17,812,056
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,829,157
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 82,320
FROM GRANTS AND DONATIONS TRUST FUND 1,626,752

From the positions and funds provided in Specific Appropriation 916, two full-time equivalent positions with associated rate of 95,646 and $138,618 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

917 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 74,365
FROM STATE ATTORNEYS REVENUE TRUST FUND 33,075
FROM GRANTS AND DONATIONS TRUST FUND 32,943

918 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 18,227

919 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 623,549
FROM STATE ATTORNEYS REVENUE TRUST FUND 139,415
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 61,459
FROM GRANTS AND DONATIONS TRUST FUND 138,859

920 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,779
FROM STATE ATTORNEYS REVENUE TRUST FUND 4,706
FROM GRANTS AND DONATIONS TRUST FUND 4,688

921 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 10,569
FROM STATE ATTORNEYS REVENUE TRUST FUND 501
FROM GRANTS AND DONATIONS TRUST FUND 499

922 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 88,192

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 18,575,318

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 4,060,793

TOTAL POSITIONS 329.00
TOTAL ALL FUNDS 22,636,111

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,051,173

923 SALARIES AND BENEFITS POSITIONS 62.00
FROM GENERAL REVENUE FUND 3,432,065
FROM STATE ATTORNEYS REVENUE TRUST FUND 278,253
FROM GRANTS AND DONATIONS TRUST FUND 289,433

924 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,490
FROM GRANTS AND DONATIONS TRUST FUND 76,054

925 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 18,227

926 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 140,468
FROM STATE ATTORNEYS REVENUE TRUST FUND 52,705
FROM GRANTS AND DONATIONS TRUST FUND 106,514

927 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,890
FROM STATE ATTORNEYS REVENUE TRUST FUND 14,126
FROM GRANTS AND DONATIONS TRUST FUND 9,185

928 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,041

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,618,954
FROM TRUST FUNDS 844,497

TOTAL POSITIONS 62.00
TOTAL ALL FUNDS 4,463,451

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 23,508,560

929 SALARIES AND BENEFITS POSITIONS 509.00
FROM GENERAL REVENUE FUND 27,429,250
FROM STATE ATTORNEYS REVENUE TRUST FUND 3,279,004
FROM GRANTS AND DONATIONS TRUST FUND 465,303

From the positions and funds provided in Specific Appropriation 929, two full-time equivalent positions with associated rate of 95,646 and $138,618 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

930 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 114,991

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM STATE ATTORNEYS REVENUE TRUST
FUND 94,632
FROM GRANTS AND DONATIONS TRUST
FUND 28,232

931 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 18,227

932 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,182,027
FROM STATE ATTORNEYS REVENUE TRUST
FUND 144,614
FROM GRANTS AND DONATIONS TRUST
FUND 34,601

933 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 206,653

934 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,491

935 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE ATTORNEYS REVENUE TRUST
FUND 232
FROM GRANTS AND DONATIONS TRUST
FUND 61

936 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 30,993

937 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 128,381

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 28,956,412
FROM TRUST FUNDS 4,224,280

TOTAL POSITIONS 509.00
TOTAL ALL FUNDS 33,180,692

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 13,228,840

938 SALARIES AND BENEFITS POSITIONS 294.00
FROM GENERAL REVENUE FUND 15,292,664
FROM STATE ATTORNEYS REVENUE TRUST
FUND 1,621,669
FROM GRANTS AND DONATIONS TRUST
FUND 819,571

939 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,100
FROM STATE ATTORNEYS REVENUE TRUST
FUND 19,988
FROM GRANTS AND DONATIONS TRUST
FUND 12,512

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
940 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 35,876

941 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 628,147
FROM STATE ATTORNEYS REVENUE TRUST
FUND 26,180
FROM GRANTS AND DONATIONS TRUST
FUND 16,389

942 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 52,967
FROM STATE ATTORNEYS REVENUE TRUST
FUND 9,953
FROM GRANTS AND DONATIONS TRUST
FUND 6,231

943 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,587

944 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 16,802

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 16,008,465
FROM TRUST FUNDS 2,585,171

TOTAL POSITIONS 294.00
TOTAL ALL FUNDS 18,593,636

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 7,644,966

945 SALARIES AND BENEFITS POSITIONS 166.00
FROM GENERAL REVENUE FUND 8,184,701
FROM STATE ATTORNEYS REVENUE TRUST
FUND 1,162,918
FROM GRANTS AND DONATIONS TRUST
FUND 632,550

946 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,414
FROM GRANTS AND DONATIONS TRUST
FUND 76,678

947 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST
FUND 18,227

948 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 526,137
FROM STATE ATTORNEYS REVENUE TRUST
FUND 3,863
FROM GRANTS AND DONATIONS TRUST
FUND 1,776

949 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,323
FROM STATE ATTORNEYS REVENUE TRUST
FUND 21,451

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

950 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,764

951 SPECIAL CATEGORIES
LEAVE LIABILITY
FROM STATE ATTORNEYS REVENUE TRUST FUND 189,754
FROM GRANTS AND DONATIONS TRUST FUND 10,581

952 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 37,142

TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 8,792,339
FROM TRUST FUNDS 2,154,940

TOTAL POSITIONS 166.00
TOTAL ALL FUNDS 10,947,279

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,331,371

953 SALARIES AND BENEFITS POSITIONS 296.00
FROM GENERAL REVENUE FUND 14,778,397
FROM STATE ATTORNEYS REVENUE TRUST FUND 1,116,209
FROM CIVIL RICO TRUST FUND 116,589
FROM GRANTS AND DONATIONS TRUST FUND 1,524,416

954 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,100
FROM STATE ATTORNEYS REVENUE TRUST FUND 32,042
FROM GRANTS AND DONATIONS TRUST FUND 61,375

955 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND 18,227

956 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 826,907
FROM STATE ATTORNEYS REVENUE TRUST FUND 38,726
FROM CIVIL RICO TRUST FUND 27,102
FROM GRANTS AND DONATIONS TRUST FUND 74,179

957 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 57,277

958 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 21,024
FROM STATE ATTORNEYS REVENUE TRUST FUND 165
FROM GRANTS AND DONATIONS TRUST FUND 315

959 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 10,068

960 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 138,804

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 15,715,705
FROM TRUST FUNDS 3,158,217

TOTAL POSITIONS 296.00
TOTAL ALL FUNDS 18,873,922

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 961 through 1073. The total funding for this office shall not exceed $200,000 in general revenue and $200,000 from the Indigent Criminal Defense Trust Fund.

From the funds in Specific Appropriations 961 through 1073, the Florida Public Defenders Association (FPDA) shall review its funding formula and current recurring funding levels of the 20 public defenders, including both general revenue and trust funds. The review shall compare the recurring funding levels of each public defender in the 2010-11 fiscal year, to a model which redistributes this level of funding among the public defenders using the current criteria in the FPDA formula. The review shall also examine public defender funding per capita, and per case, and the association shall report the findings and any recommendations necessary to correct any funding inequities should they exist, to the President of the Senate and the Speaker of the House of Representatives by January 1, 2011.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,580,732

961 SALARIES AND BENEFITS POSITIONS 119.00
FROM GENERAL REVENUE FUND 6,687,545
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 210,375
FROM GRANTS AND DONATIONS TRUST FUND 79,186
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 479,266

962 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,604
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,000

963 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 205,451
FROM GRANTS AND DONATIONS TRUST FUND 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,654

964 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,795

965 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 14,062

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,931,395
FROM TRUST FUNDS 948,543

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 7,879,938

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,835,532

966 SALARIES AND BENEFITS POSITIONS 83.00
FROM GENERAL REVENUE FUND 4,629,014
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 145,759
FROM GRANTS AND DONATIONS TRUST FUND 72,838
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 267,758

967 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,487
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 57,572

968 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 24,150

969 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 171,113
FROM GRANTS AND DONATIONS TRUST FUND 1,677
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 80,688

970 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,991

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,834,605
FROM TRUST FUNDS 650,442

TOTAL POSITIONS 83.00
TOTAL ALL FUNDS 5,485,047

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,840,219

971 SALARIES AND BENEFITS POSITIONS 30.00
FROM GENERAL REVENUE FUND 2,150,501
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 67,820
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 144,492

972 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 251
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 34,216

973 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,000

974 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

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SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 94,102
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 24,381

975 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,206

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,248,060
FROM TRUST FUNDS 289,909

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,537,969

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,807,358

976 SALARIES AND BENEFITS POSITIONS 144.00
FROM GENERAL REVENUE FUND 9,046,043
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 285,086
FROM GRANTS AND DONATIONS TRUST FUND 200,404
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 502,117

977 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,001
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,308

978 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 69,000

979 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 274,678
FROM GRANTS AND DONATIONS TRUST FUND 50,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 137,456

980 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,764

981 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 37,500

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,396,486
FROM TRUST FUNDS 1,413,871

TOTAL POSITIONS 144.00
TOTAL ALL FUNDS 10,810,357

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,555,247

982 SALARIES AND BENEFITS POSITIONS 101.00
FROM GENERAL REVENUE FUND 5,618,022
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 176,637
FROM INDIGENT CRIMINAL DEFENSE

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TRUST FUND		528,954
983 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	21,727	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		309,101
984 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	118,700	
FROM GRANTS AND DONATIONS TRUST FUND		8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		182,690
985 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	16,261	
986 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		13,125
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	5,774,710	
FROM TRUST FUNDS		1,218,507
TOTAL POSITIONS	101.00	
TOTAL ALL FUNDS		6,993,217

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,700,100

987 SALARIES AND BENEFITS POSITIONS 222.00		
FROM GENERAL REVENUE FUND	12,219,539	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		384,527
FROM GRANTS AND DONATIONS TRUST FUND		376,196
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,077,491
988 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	78,566	
FROM GRANTS AND DONATIONS TRUST FUND		4,836
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		111,956
989 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	523,246	
FROM GRANTS AND DONATIONS TRUST FUND		8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		290,652
990 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	38,295	
991 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		56,250
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	12,859,646	
FROM TRUST FUNDS		2,309,908

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	222.00	
TOTAL ALL FUNDS		15,169,554

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,398,949

992 SALARIES AND BENEFITS POSITIONS 115.00		
FROM GENERAL REVENUE FUND	6,620,405	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		208,085
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		348,718
993 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	30	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		3,230
994 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	148,578	
FROM GRANTS AND DONATIONS TRUST FUND		6,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		110,810
995 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	33,395	
996 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		11,251
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	6,802,408	
FROM TRUST FUNDS		688,094
TOTAL POSITIONS	115.00	
TOTAL ALL FUNDS		7,490,502

PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,557,272

997 SALARIES AND BENEFITS POSITIONS 74.00		
FROM GENERAL REVENUE FUND	4,380,111	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		137,716
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		349,275
998 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,759	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,600
999 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		18,000
1000 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	107,674	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

TRUST FUND		50,190
1001 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	12,276	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	4,512,820	
FROM TRUST FUNDS		596,781
TOTAL POSITIONS	74.00	
TOTAL ALL FUNDS		5,109,601

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,199,429

1002 SALARIES AND BENEFITS POSITIONS 206.00		
FROM GENERAL REVENUE FUND	8,771,708	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		276,406
FROM GRANTS AND DONATIONS TRUST FUND		1,253,725
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		2,488,580
1003 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
1004 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	739,473	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		110,220
1005 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	33,669	
1006 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		45,000
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	9,569,850	
FROM TRUST FUNDS		4,322,951
TOTAL POSITIONS	206.00	
TOTAL ALL FUNDS		13,892,801

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,357,730

1007 SALARIES AND BENEFITS POSITIONS 114.00		
FROM GENERAL REVENUE FUND	6,181,494	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		194,442
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		589,818
1008 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,424	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		57,430
1009 SPECIAL CATEGORIES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

ACQUISITION OF MOTOR VEHICLES		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		42,432
1010 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	185,042	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		157,353
1011 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	42,232	
1012 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		37,500
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	6,421,192	
FROM TRUST FUNDS		1,078,975
TOTAL POSITIONS	114.00	
TOTAL ALL FUNDS		7,500,167

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 20,242,327

1013 SALARIES AND BENEFITS POSITIONS 384.00		
FROM GENERAL REVENUE FUND	22,897,290	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		720,947
FROM GRANTS AND DONATIONS TRUST FUND		1,513,352
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,084,136
1014 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	101,863	
FROM GRANTS AND DONATIONS TRUST FUND		85,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		169,016
1015 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	3,233	
1016 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	471,990	
FROM GRANTS AND DONATIONS TRUST FUND		15,008
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		69,790
1017 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	169,223	
TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	23,643,599	
FROM TRUST FUNDS		3,657,249
TOTAL POSITIONS	384.00	
TOTAL ALL FUNDS		27,300,848

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 4,627,508

1018 SALARIES AND BENEFITS POSITIONS 95.50
FROM GENERAL REVENUE FUND 5,179,025
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 162,982
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 486,987

1019 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,836
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 20,000

1020 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 231,655
FROM GRANTS AND DONATIONS TRUST
FUND 58,400
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 19,050

1021 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,878

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 5,443,394
FROM TRUST FUNDS 747,419

TOTAL POSITIONS 95.50
TOTAL ALL FUNDS 6,190,813

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 11,017,780

1022 SALARIES AND BENEFITS POSITIONS 223.50
FROM GENERAL REVENUE FUND 11,244,327
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 354,282
FROM GRANTS AND DONATIONS TRUST
FUND 1,230,430
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,885,979

1023 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 46,413
FROM GRANTS AND DONATIONS TRUST
FUND 100,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 11,201

1024 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 44,000

1025 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 535,775
FROM GRANTS AND DONATIONS TRUST
FUND 107,844
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 97,103

1026 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 41,774

1027 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY

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SPECIFIC
APPROPRIATION
AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 94,687

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 11,868,289
FROM TRUST FUNDS 3,925,526

TOTAL POSITIONS 223.50
TOTAL ALL FUNDS 15,793,815

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 3,112,153

1028 SALARIES AND BENEFITS POSITIONS 61.00
FROM GENERAL REVENUE FUND 3,633,368
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 114,228
FROM GRANTS AND DONATIONS TRUST
FUND 51,817
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 390,478

1029 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,101
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 140,706

1030 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 136,141
FROM GRANTS AND DONATIONS TRUST
FUND 15,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 135,626

1031 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,845

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 3,804,455
FROM TRUST FUNDS 847,855

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 4,652,310

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 9,191,064

1032 SALARIES AND BENEFITS POSITIONS 194.00
FROM GENERAL REVENUE FUND 10,693,337
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 336,480
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 639,544

1033 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,601
FROM GRANTS AND DONATIONS TRUST
FUND 114,866
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 27,708

1034 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 160,578
FROM GRANTS AND DONATIONS TRUST

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FUND		78,670
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		315,269
1035 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	50,891	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	10,952,407	
FROM TRUST FUNDS		1,512,537
TOTAL POSITIONS	194.00	
TOTAL ALL FUNDS		12,464,944

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,101,626

1036 SALARIES AND BENEFITS POSITIONS 43.00		
FROM GENERAL REVENUE FUND	2,437,893	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		76,809
FROM GRANTS AND DONATIONS TRUST FUND		40,252
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		124,378
1037 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,968	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,347
1038 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	74,246	
FROM GRANTS AND DONATIONS TRUST FUND		10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		9,530
1039 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	6,891	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	2,525,998	
FROM TRUST FUNDS		267,316
TOTAL POSITIONS	43.00	
TOTAL ALL FUNDS		2,793,314

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 12,244,736

1040 SALARIES AND BENEFITS POSITIONS 223.00		
FROM GENERAL REVENUE FUND	13,213,705	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		416,452
FROM GRANTS AND DONATIONS TRUST FUND		868,104
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,938,900
1041 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	82,254	
FROM GRANTS AND DONATIONS TRUST		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FUND		150,708
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,000
1042 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	439,835	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		196,735
1043 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	47,036	
1044 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND		65,625
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	13,782,830	
FROM TRUST FUNDS		3,672,524
TOTAL POSITIONS	223.00	
TOTAL ALL FUNDS		17,455,354

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,969,524

1045 SALARIES AND BENEFITS POSITIONS 119.00		
FROM GENERAL REVENUE FUND	5,840,206	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND		183,768
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,297,680
1046 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,792	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		28,160
1048 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	347,025	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		293,134
1049 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	43,111	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		5,404
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	6,243,134	
FROM TRUST FUNDS		1,813,146
TOTAL POSITIONS	119.00	
TOTAL ALL FUNDS		8,056,280

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,785,433

1050 SALARIES AND BENEFITS POSITIONS 78.00		
FROM GENERAL REVENUE FUND	4,126,035	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FROM PUBLIC DEFENDERS REVENUE TRUST FUND 129,954
FROM GRANTS AND DONATIONS TRUST FUND 256,048
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 433,967

1051 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,893
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 135,550

1052 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 50,000

1053 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 114,153
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 187,365

1054 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 30,535
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 8,244

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,290,616
FROM TRUST FUNDS 1,201,128

TOTAL POSITIONS 78.00
TOTAL ALL FUNDS 5,491,744

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,275,275

1055 SALARIES AND BENEFITS POSITIONS 130.00
FROM GENERAL REVENUE FUND 6,492,041
FROM PUBLIC DEFENDERS REVENUE TRUST FUND 204,230
FROM GRANTS AND DONATIONS TRUST FUND 699,871
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 708,052

1056 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,098
FROM GRANTS AND DONATIONS TRUST FUND 20,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 80,000

1056A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,215

1057 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 351,084
FROM GRANTS AND DONATIONS TRUST FUND 64,260
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 192,642

1058 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,594

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

1059 SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST FUND 118,656

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,885,817
FROM TRUST FUNDS 2,106,926

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 8,992,743

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,780,461

1060 SALARIES AND BENEFITS POSITIONS 34.00
FROM GENERAL REVENUE FUND 2,183,793

1061 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 21,114

1062 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 123,941

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,328,848

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,328,848

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,757,773

1063 SALARIES AND BENEFITS POSITIONS 33.00
FROM GENERAL REVENUE FUND 2,118,131

1064 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,370

1065 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 138,053

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,258,554

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 2,258,554

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,461,956

1066 SALARIES AND BENEFITS POSITIONS 50.00
FROM GENERAL REVENUE FUND 3,017,977

1067 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 727,390

1068 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 139,857

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,885,224

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 3,885,224

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH
JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,573,325

1069 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,873,591

1070 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 33,731

1071 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 37,161

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 1,944,483

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 1,944,483

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH
JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,513,258

1072 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL REVENUE FUND 3,022,302
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 150,000

1073 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 40,021
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 150,000

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH
JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,062,323
FROM TRUST FUNDS 300,000

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,362,323

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,245,214

1074 SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,937,757

1075 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 28,911

1076 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 363,004
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 100,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
1077 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 10

1078 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 374,387

1079 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,151

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,711,220
FROM TRUST FUNDS 100,000

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 3,811,220

PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 1,779,290

1080 SALARIES AND BENEFITS POSITIONS 32.00
FROM GENERAL REVENUE FUND 2,261,862

1081 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8

1082 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 473,367
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 65,000

1083 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 349,605
FROM CAPITAL COLLATERAL REGIONAL
COUNSEL TRUST FUND 35,000

1084 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,779

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL
REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,097,621
FROM TRUST FUNDS 100,000

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 3,197,621

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 5,185,062

1085 SALARIES AND BENEFITS POSITIONS 108.00
FROM GENERAL REVENUE FUND 7,286,046

1086 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 342,770

1088 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,144,390
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 233,446

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

1089 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 81,410

1090 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,385

1091 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 29,569

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST
FROM GENERAL REVENUE FUND 8,896,570
FROM TRUST FUNDS 233,446

TOTAL POSITIONS 108.00
TOTAL ALL FUNDS 9,130,016

PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

APPROVED SALARY RATE 4,656,522

1092 SALARIES AND BENEFITS POSITIONS 101.00
FROM GENERAL REVENUE FUND 6,493,443
FROM GRANTS AND DONATIONS TRUST
FUND 66,651

1093 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 284,581

1095 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,316,734
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 234,488

1096 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 71,844
FROM GRANTS AND DONATIONS TRUST
FUND 165,425

1097 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,017

1098 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 28,710

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND
FROM GENERAL REVENUE FUND 8,206,329
FROM TRUST FUNDS 466,564

TOTAL POSITIONS 101.00
TOTAL ALL FUNDS 8,672,893

PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD

APPROVED SALARY RATE 2,257,491

1099 SALARIES AND BENEFITS POSITIONS 47.00
FROM GENERAL REVENUE FUND 3,163,538

1100 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 156,474

1102 SPECIAL CATEGORIES
CONTRACTED SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 1,479,611
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 86,956

1103 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 34,955

1104 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,206

1105 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,769

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD
FROM GENERAL REVENUE FUND 4,854,553
FROM TRUST FUNDS 86,956

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 4,941,509

PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH

APPROVED SALARY RATE 3,001,418

1106 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 4,216,735

1107 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 213,771

1108 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,546,193
FROM INDIGENT CIVIL DEFENSE TRUST
FUND 121,892

1109 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 47,521

1110 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,977

1111 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,457

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH
FROM GENERAL REVENUE FUND 7,054,654
FROM TRUST FUNDS 121,892

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 7,176,546

PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH

APPROVED SALARY RATE 3,032,150

1112 SALARIES AND BENEFITS POSITIONS 67.00
FROM GENERAL REVENUE FUND 4,298,675

1113 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 208,569

1114 SPECIAL CATEGORIES
CONTRACTED SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	1,402,793	
FROM GRANTS AND DONATIONS TRUST FUND		5,800
FROM INDIGENT CIVIL DEFENSE TRUST FUND		195,193
1115 SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS		
FROM GENERAL REVENUE FUND	50,288	
FROM GRANTS AND DONATIONS TRUST FUND		13,890
1116 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	6,970	
1117 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	19,628	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH		
FROM GENERAL REVENUE FUND	5,986,923	
FROM TRUST FUNDS		214,883
TOTAL POSITIONS	67.00	
TOTAL ALL FUNDS		6,201,806
TOTAL: JUSTICE ADMINISTRATION		
FROM GENERAL REVENUE FUND	632,910,824	
FROM TRUST FUNDS		577,603,117
TOTAL POSITIONS	10,042.25	
TOTAL ALL FUNDS		1,210,513,941
TOTAL APPROVED SALARY RATE	463,828,084	

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1118 through 1200, 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 1118 through 1200, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's inspector general shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1118 through 1200, 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.

From the funds in Specific Appropriations 1118 through 1200, the Department of Juvenile Justice must before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

Policy and Budget and to the Legislative Budget Commission for approval.

Funds in Specific Appropriations 1118 through 1200 shall not be used to pay for unoccupied space currently being leased by the Department of Juvenile Justice in the event the leases are vacant on or after July 1, 2010, and for which it has been determined by the Secretary of the department that there is no longer a need.

By September 1, 2010, the Department of Juvenile Justice shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government & Health Care and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

Beginning July 1, 2010, the department shall have one trustee with one vote on the NSRC Board of Trustees during Fiscal Year 2010-2011.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

From the funds in Specific Appropriations 1118 through 1126, the department may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

APPROVED SALARY RATE	63,923,909	
1118 SALARIES AND BENEFITS POSITIONS	2,042.50	
FROM GENERAL REVENUE FUND	14,558,573	
FROM FEDERAL GRANTS TRUST FUND . . .		746,241
FROM GRANTS AND DONATIONS TRUST FUND		354,318
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		76,870,839
1119 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	308,491	
FROM GRANTS AND DONATIONS TRUST FUND		426,354
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,091,235
1120 EXPENSES		
FROM GENERAL REVENUE FUND	1,785,670	
FROM FEDERAL GRANTS TRUST FUND . . .		763,886
FROM GRANTS AND DONATIONS TRUST FUND		720,230
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		5,412,587
1121 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	10,771	
FROM FEDERAL GRANTS TRUST FUND . . .		7,293
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		219,973
1122 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	430,903	
FROM FEDERAL GRANTS TRUST FUND . . .		834,388
FROM GRANTS AND DONATIONS TRUST FUND		127,472
FROM SHARED COUNTY/STATE JUVENILE		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
DETENTION TRUST FUND 2,266,807

From the funds in Specific Appropriation 1122, the Department of Juvenile Justice, no earlier than May 15, 2011, shall remit payment for any outstanding food service invoices for services provided after July 1, 2001. The monetary amount of any such payments must be consistent with the amount set forth in the settlement agreement between the Department of Juvenile Justice, the Department of Management Services, the Department of Financial Services, Compass Group USA, Inc., and Trinity Services Group, Inc.; and must be made from the department's excess food products appropriation category from funds that would otherwise revert pursuant to section 216.301, Florida Statutes. The payment of any outstanding food service invoices shall not diminish the quality or quantity of any meals currently being served by the department or private provider.

1123 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND
PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 829,110

From the funds in Specific Appropriation 1123, $650,000 of nonrecurring general revenue is provided for the Girls Advocacy Project (GAP) in Miami-Dade.

1124 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO FISCALLY
CONSTRAINED COUNTIES FOR DETENTION CENTER
COSTS
FROM GENERAL REVENUE FUND 5,581,332

1125 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 610,033
FROM FEDERAL GRANTS TRUST FUND . . . 20,392
FROM GRANTS AND DONATIONS TRUST
FUND 3,116
FROM SHARED COUNTY/STATE JUVENILE
DETENTION TRUST FUND 1,915,098

1126 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,039,201
FROM GRANTS AND DONATIONS TRUST
FUND 108,000
FROM SHARED COUNTY/STATE JUVENILE
DETENTION TRUST FUND 4,101,915

1127 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 538,799
FROM SHARED COUNTY/STATE JUVENILE
DETENTION TRUST FUND 3,640,918

1128 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 137,639
FROM FEDERAL GRANTS TRUST FUND . . . 11,147
FROM GRANTS AND DONATIONS TRUST
FUND 1,620
FROM SHARED COUNTY/STATE JUVENILE
DETENTION TRUST FUND 729,564

1129A FIXED CAPITAL OUTLAY
PALM BEACH COUNTY JUVENILE ASSESSMENT
CENTER
FROM GENERAL REVENUE FUND 175,000

TOTAL: DETENTION CENTERS
FROM GENERAL REVENUE FUND 30,005,522
FROM TRUST FUNDS 101,373,393

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL POSITIONS 2,042.50
TOTAL ALL FUNDS 131,378,915

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS
PROGRAM

AFTERCARE SERVICES - CONDITIONAL RELEASE

APPROVED SALARY RATE 807,915

1130 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,090,937
FROM GRANTS AND DONATIONS TRUST
FUND 2,754

1131 EXPENSES
FROM GENERAL REVENUE FUND 121,184

1132 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND
PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 821,630

From the funds in Specific Appropriation 1132, $370,000 in nonrecurring general revenue is provided for the Troy Academy in Miami-Dade.

1133 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,714

1134 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 18,285,232
FROM GRANTS AND DONATIONS TRUST
FUND 1,519,035
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 992

1135 SPECIAL CATEGORIES
PRODIGY
FROM GENERAL REVENUE FUND 6,710,631

From the funds in Specific Appropriation 1135, the Prodigy Program shall include at least two of the four at-risk domains of the Department of Juvenile Justice's risk factors when placing a youth into a prevention, intervention or diversion program. In addition, each youth who enters the program shall be tracked by the department's Juvenile Justice Information System (JJIS) or Prevention Web system. In addition, the Prodigy Program shall contract with a consultant to track arrests or re-arrests for prevention, intervention, and diversion youth for twelve months after completing the program and submit the results to the department semi-annually.

1136 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,785
FROM GRANTS AND DONATIONS TRUST
FUND 24

TOTAL: AFTERCARE SERVICES - CONDITIONAL RELEASE
FROM GENERAL REVENUE FUND 27,041,113
FROM TRUST FUNDS 1,522,805

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 28,563,918

JUVENILE PROBATION

APPROVED SALARY RATE 48,665,922

1137 SALARIES AND BENEFITS POSITIONS 1,384.50

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	57,412,426	
FROM GRANTS AND DONATIONS TRUST FUND		66,082
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,629,663

1138 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	1,178,896	

1139 EXPENSES

FROM GENERAL REVENUE FUND	8,466,544	
FROM FEDERAL GRANTS TRUST FUND . . .		35,866
FROM GRANTS AND DONATIONS TRUST FUND		7,407
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		494,362

1140 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	68,687	

1141 SPECIAL CATEGORIES
JUVENILE REDIRECTIONS PROGRAM

FROM GENERAL REVENUE FUND	10,964,831	

Funds in Specific Appropriation 1141 are provided for the redirection program subject to the requirements and limitations in effect during Fiscal Year 2009-2010. The program may serve youth who are before the court for a non-violent 3rd degree felony and who the judge determines would otherwise require residential commitment. Treatment services shall be evidenced-based family therapy for youth for whom these services are appropriate. Youth at risk of commitment are eligible for evidenced-based family therapy services. These services are to be provided as an alternative to commitment. No child may be served by the redirections program that has ever been adjudicated delinquent, or had adjudication withheld, of any violent crime, except for females adjudicated delinquent for domestic violence, any 1st degree felony or any felony direct-filed in adult court. The department and each participating court shall jointly develop criteria to identify youth appropriate for diversion into this program pursuant to the expanded eligibility criteria provided herein.

From the funds in Specific Appropriation 1141, the Department of Juvenile Justice shall transfer up to $2,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children eligible for specialized mental health services.

1142 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	995,862	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		70,346

1143 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	8,148,753	
FROM GRANTS AND DONATIONS TRUST FUND		14,813

1144 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	779,970	

1145 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS

FROM GENERAL REVENUE FUND	12,960	

1146 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	532,790	
FROM GRANTS AND DONATIONS TRUST FUND		29,699

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL: JUVENILE PROBATION

FROM GENERAL REVENUE FUND	88,561,719	
FROM TRUST FUNDS		8,348,238
TOTAL POSITIONS	1,384.50	
TOTAL ALL FUNDS		96,909,957

NON-RESIDENTIAL DELINQUENCY REHABILITATION

1147 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME

FROM GENERAL REVENUE FUND	184,317	

1148 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	18,393,545	
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	18,577,862	
FROM TRUST FUNDS		99,465
TOTAL ALL FUNDS		18,677,327

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,554,189

1149 SALARIES AND BENEFITS POSITIONS 226.50

FROM GENERAL REVENUE FUND	12,673,884	
FROM FEDERAL GRANTS TRUST FUND . . .		131,317
FROM GRANTS AND DONATIONS TRUST FUND		293,320

1150 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	161,156	
FROM ADMINISTRATIVE TRUST FUND . . .		72,341
FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712

1151 EXPENSES

FROM GENERAL REVENUE FUND	2,210,374	
FROM ADMINISTRATIVE TRUST FUND . . .		645,930
FROM FEDERAL GRANTS TRUST FUND . . .		14,396
FROM GRANTS AND DONATIONS TRUST FUND		149,305
FROM JUVENILE JUSTICE TRAINING TRUST FUND		609,326

1152 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	32,841	

1153 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES

FROM GENERAL REVENUE FUND	414,714	

1154 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS

FROM GENERAL REVENUE FUND	16,162	

1155 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	547,208	
FROM GRANTS AND DONATIONS TRUST FUND		208,537

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION

1156 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	241,169	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		2,139,189
1157 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	155,530	
1158 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	98,375	
FROM FEDERAL GRANTS TRUST FUND . . .		743
FROM GRANTS AND DONATIONS TRUST FUND		2,238
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	16,551,413	
FROM TRUST FUNDS		4,278,354
TOTAL POSITIONS	226.50	
TOTAL ALL FUNDS		20,829,767

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,807,128

1159 SALARIES AND BENEFITS POSITIONS	59.50	
FROM GENERAL REVENUE FUND	3,412,476	
1160 EXPENSES		
FROM GENERAL REVENUE FUND	2,047,370	
1161 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	48,866	
1162 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	313,377	
1163 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	9,596	
1164 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	25,308	
1164A DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	2,368	
1165 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	335,781	
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	6,195,142	
TOTAL POSITIONS	59.50	
TOTAL ALL FUNDS		6,195,142

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1166 through 1188 , the department shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth waiting placement and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care prior to implementing any change.

From the funds in Specific Appropriations 1166 through 1188, for determining the most appropriate bed reductions in each level of residential commitments, the department may consider those residential commitment programs, if necessary, which have scored below 72 on the overall program score represented in the Comprehensive Accountability Report. The department may also consider programs that are underutilized, those that provide services for which there is a less critical need and other relevant performance measures in determining which level of residential beds should be reduced. Should reductions involve state-operated programs, the department is authorized to submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, to transfer positions and funds as necessary to accomplish the reduction of beds. The department shall apply identical criteria in determining whether bed reductions come from contracted or state-operated beds.

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 Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care.

NON-SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 8,870,003

1166 SALARIES AND BENEFITS POSITIONS	291.00	
FROM GENERAL REVENUE FUND	9,913,304	
FROM FEDERAL GRANTS TRUST FUND . . .		48,835
FROM GRANTS AND DONATIONS TRUST FUND		71,858
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,916,754
1167 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	103,278	
FROM FEDERAL GRANTS TRUST FUND . . .		134,909
FROM GRANTS AND DONATIONS TRUST FUND		31,862
1168 EXPENSES		
FROM GENERAL REVENUE FUND	1,320,997	
FROM FEDERAL GRANTS TRUST FUND . . .		400,964
FROM GRANTS AND DONATIONS TRUST FUND		26,656
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		264,925
1169 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND		21,231
1170 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	488,160	
FROM FEDERAL GRANTS TRUST FUND . . .		198,861
FROM GRANTS AND DONATIONS TRUST FUND		88,871
1171 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	44,571	
1172 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	531,045	
FROM FEDERAL GRANTS TRUST FUND . . .		1,476

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM GRANTS AND DONATIONS TRUST FUND		2,172
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		186,402
1173 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	109,045,869	
FROM FEDERAL GRANTS TRUST FUND		45,066
FROM GRANTS AND DONATIONS TRUST FUND		372,759
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,132,034
1174 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	969,182	
FROM GRANTS AND DONATIONS TRUST FUND		65,503
1175 SPECIAL CATEGORIES		
GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES		
FROM GENERAL REVENUE FUND	5,467,000	
1176 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	116,752	
FROM FEDERAL GRANTS TRUST FUND		675
FROM GRANTS AND DONATIONS TRUST FUND		995
TOTAL: NON-SECURE RESIDENTIAL COMMITMENT		
FROM GENERAL REVENUE FUND	128,000,158	
FROM TRUST FUNDS		7,012,808
TOTAL POSITIONS	291.00	
TOTAL ALL FUNDS		135,012,966

SECURE RESIDENTIAL COMMITMENT

From the funds in Specific Appropriations 1177 through 1187, the Community Advisory Board at the Dozier School for Boys, as established under section 63E-7(11)(a) Florida Administrative Code, with the participation of the Guardian Ad Litem Program in the 14th Judicial Circuit, shall prepare an annual report to the Legislature to be submitted to the Governor, President of the Senate and the Speaker of the House of Representatives by February 1, 2011. The report shall include a summary of all monitoring activities conducted during the review period including the type and scope of each activity, the findings related to each activity, and action taken to correct any deficiencies. The report shall also include a summary of outcomes related to specific performance indicators, as well as an overview of plans, activities and outcomes related to specific program goals and objectives.

APPROVED SALARY RATE 25,087,835

1177 SALARIES AND BENEFITS POSITIONS 715.00		
FROM GENERAL REVENUE FUND	32,489,341	
FROM FEDERAL GRANTS TRUST FUND		209,192
FROM GRANTS AND DONATIONS TRUST FUND		458,238
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,267,459
1178 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	825,037	
FROM FEDERAL GRANTS TRUST FUND		176,109
FROM GRANTS AND DONATIONS TRUST FUND		67,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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1179 EXPENSES		
FROM GENERAL REVENUE FUND	2,935,448	
FROM FEDERAL GRANTS TRUST FUND		234,027
FROM GRANTS AND DONATIONS TRUST FUND		11,893
1180 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND		33,861
1181 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	574,553	
FROM FEDERAL GRANTS TRUST FUND		160,400
FROM GRANTS AND DONATIONS TRUST FUND		194,644
1182 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTUAL SERVICES-DOZIER TRAINING SCHOOL		
FROM GENERAL REVENUE FUND	412,674	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		105,187
1183 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTUAL SERVICES-OKEECHOBEE TRAINING SCHOOL		
FROM GENERAL REVENUE FUND	6,385,963	
FROM GRANTS AND DONATIONS TRUST FUND		32,088
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,546,273
1184 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,476,146	
FROM FEDERAL GRANTS TRUST FUND		2,512
FROM GRANTS AND DONATIONS TRUST FUND		4,757
1185 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	20,225,329	
FROM FEDERAL GRANTS TRUST FUND		1,170,113
FROM GRANTS AND DONATIONS TRUST FUND		274,785
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		30,808,311
1186 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	725,601	
1187 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	276,846	
FROM FEDERAL GRANTS TRUST FUND		7,958
FROM GRANTS AND DONATIONS TRUST FUND		19,189
1188 FIXED CAPITAL OUTLAY		
JUVENILE FACILITIES - LEASE PURCHASE		
FROM GENERAL REVENUE FUND	1,806,244	
TOTAL: SECURE RESIDENTIAL COMMITMENT		
FROM GENERAL REVENUE FUND	68,133,182	
FROM TRUST FUNDS		38,783,996
TOTAL POSITIONS	715.00	
TOTAL ALL FUNDS		106,917,178

PROGRAM: PREVENTION AND VICTIM SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION
DELINQUENCY PREVENTION AND DIVERSION

APPROVED SALARY RATE 841,307

1189 SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 640,921
FROM FEDERAL GRANTS TRUST FUND . . . 56,879
FROM GRANTS AND DONATIONS TRUST FUND 464,220

1190 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 287,192
FROM FEDERAL GRANTS TRUST FUND . . . 187,513
FROM GRANTS AND DONATIONS TRUST FUND 141,126

1191 EXPENSES
FROM GENERAL REVENUE FUND 236,795
FROM FEDERAL GRANTS TRUST FUND . . . 69,500
FROM GRANTS AND DONATIONS TRUST FUND 282,180

1192 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INVEST IN CHILDREN
FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND . . . 412,903

1193 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 12,450
FROM GRANTS AND DONATIONS TRUST FUND 12,450

1194 SPECIAL CATEGORIES
PACE CENTERS
FROM GENERAL REVENUE FUND 7,666,517
FROM GRANTS AND DONATIONS TRUST FUND 3,290,514

1195 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 1,827,920

From the funds in Specific Appropriation 1195, $650,415 from recurring general revenue is provided to the PAR Adolescent Intervention Center (PAIC) Pasco.

From the funds in Specific Appropriation 1195, $1,000,000 from nonrecurring general revenue is provided to develop a pilot program to provide jobs to at-risk youth. The department shall contract with non-profit or faith-based organizations that have experience in providing services to at-risk youth and community involvement in the counties of Pinellas, Hillsborough, Manatee and Sarasota.

1196 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 33,720

1197 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 597,989
FROM FEDERAL GRANTS TRUST FUND . . . 5,250,009
FROM GRANTS AND DONATIONS TRUST FUND 7,570,115
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,639

1198 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 783

1199 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION
FROM GENERAL REVENUE FUND 19,127,748
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000
FROM GRANTS AND DONATIONS TRUST FUND 10,277,763
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 383,858

From the funds in Specific Appropriation 1199, 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.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith- based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapters 984 and 1003.27, F.S., to include areas with high ratios of juvenile arrests per youth ages 10 to 17. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

1200 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 3,503
FROM FEDERAL GRANTS TRUST FUND . . . 419
FROM GRANTS AND DONATIONS TRUST FUND 3,365

TOTAL: DELINQUENCY PREVENTION AND DIVERSION
FROM GENERAL REVENUE FUND 30,423,088
FROM TRUST FUNDS 29,417,903
TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 59,840,991

TOTAL: JUVENILE JUSTICE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 413,489,199
FROM TRUST FUNDS 190,836,962
TOTAL POSITIONS 4,760.00
TOTAL ALL FUNDS 604,326,161
TOTAL APPROVED SALARY RATE 160,558,208

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,171,023

1201 SALARIES AND BENEFITS POSITIONS 120.50
FROM GENERAL REVENUE FUND 1,786,227
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 599,433
FROM FEDERAL GRANTS TRUST FUND . . . 515,737
FROM OPERATING TRUST FUND 4,714,092

1202 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,838
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 198,602
FROM OPERATING TRUST FUND 56,138

1203 EXPENSES
FROM GENERAL REVENUE FUND 894,619
FROM ADMINISTRATIVE TRUST FUND . . . 64,548
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 40,557
FROM FEDERAL GRANTS TRUST FUND . . . 169,956

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 286,666
FROM OPERATING TRUST FUND 546,467
FROM REVOLVING TRUST FUND 1,000,000

1204 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES
FROM FEDERAL GRANTS TRUST FUND . . . 2,683,102

1205 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS
FROM FEDERAL GRANTS TRUST FUND . . . 1,529,434

1206 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS
FROM FEDERAL GRANTS TRUST FUND . . . 1,263,483

1207 AID TO LOCAL GOVERNMENTS
BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 19,118,106

1208 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,616
FROM FEDERAL GRANTS TRUST FUND . . . 4,000
FROM OPERATING TRUST FUND 337

1209 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 9,650
FROM OPERATING TRUST FUND 402

1210 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY AND STATEWIDE DRUG ABUSE PREVENTION PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 4,497,908

1211 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 25,480
FROM ADMINISTRATIVE TRUST FUND . . . 15,000
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 3,203
FROM FEDERAL GRANTS TRUST FUND . . . 218,573
FROM OPERATING TRUST FUND 152,372

1212 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM OPERATING TRUST FUND 150,000

1213 SPECIAL CATEGORIES
OVERTIME
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 748

1214 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,395
FROM ADMINISTRATIVE TRUST FUND . . . 4,480
FROM FEDERAL GRANTS TRUST FUND . . . 12,125
FROM OPERATING TRUST FUND 15,295

1215 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 19,667

1216 SPECIAL CATEGORIES
BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM FEDERAL GRANTS TRUST FUND . . . 10,412,678

1217 SPECIAL CATEGORIES
GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT
FROM FEDERAL GRANTS TRUST FUND . . . 1,247,724

1218 SPECIAL CATEGORIES
GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY
FROM FEDERAL GRANTS TRUST FUND . . . 3,675,511

1219 SPECIAL CATEGORIES
GRANTS AND AID - LOCAL LAW ENFORCEMENT BLOCK GRANT - LOCAL UNITS OF GOVERNMENT
FROM FEDERAL GRANTS TRUST FUND . . . 768,522

1220 SPECIAL CATEGORIES
GRANTS AND AID - VIOLENT OFFENDER INCARCERATIONS AND TRUTH-IN- SENTENCING INCENTIVE PROGRAM - STATE AGENCY
FROM FEDERAL GRANTS TRUST FUND . . . 5,854,137

1221 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,180
FROM ADMINISTRATIVE TRUST FUND . . . 3,629
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 3,579
FROM OPERATING TRUST FUND 19,105

TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,807,672
FROM TRUST FUNDS 59,850,649

TOTAL POSITIONS 120.50
TOTAL ALL FUNDS 62,658,321

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

APPROVED SALARY RATE 3,526,886

1222 SALARIES AND BENEFITS POSITIONS 90.00
FROM GENERAL REVENUE FUND 2,198
FROM OPERATING TRUST FUND 5,128,187

1223 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 3,778

1224 EXPENSES
FROM OPERATING TRUST FUND 601,842

1225 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 85,369

1226 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 30,500

1227 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 70,084

1228 SPECIAL CATEGORIES
CAPITOL COMPLEX SECURITY
FROM GENERAL REVENUE FUND 7,360
FROM OPERATING TRUST FUND 20,000

1229 SPECIAL CATEGORIES

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APPROPRIATION
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 146,329

1230 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 38,064

1231 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 433
FROM OPERATING TRUST FUND 34,773

1232 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM OPERATING TRUST FUND 6,969

TOTAL: CAPITOL POLICE SERVICES
FROM GENERAL REVENUE FUND 9,991
FROM TRUST FUNDS 6,165,895

TOTAL POSITIONS 90.00
TOTAL ALL FUNDS 6,175,886

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE
PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,243,352

1233 SALARIES AND BENEFITS POSITIONS 406.00
FROM GENERAL REVENUE FUND 27,426,885
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 40,458
FROM FEDERAL GRANTS TRUST FUND . . . 15,046
FROM OPERATING TRUST FUND 260,648

1234 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,211
FROM FEDERAL GRANTS TRUST FUND . . . 15,000

1235 EXPENSES
FROM GENERAL REVENUE FUND 5,493,799
FROM FEDERAL GRANTS TRUST FUND . . . 1,240,181
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 510,531
FROM OPERATING TRUST FUND 391,362

From the funds in Specific Appropriation 1235, 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 is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1235 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1236 AID TO LOCAL GOVERNMENTS
CRIMINAL INVESTIGATIONS
FROM FEDERAL GRANTS TRUST FUND . . . 1,811,474
FROM OPERATING TRUST FUND 2,379,702

1237 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 364,099
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 2,293,028

1238 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 168,960

1239 SPECIAL CATEGORIES

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APPROPRIATION
PERFORMANCE ADJUSTMENTS
FROM GENERAL REVENUE FUND 401,900

1240 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 548,628
FROM FEDERAL GRANTS TRUST FUND . . . 1,407,918

1241 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 79,840

1242 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 165,394
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 240
FROM FEDERAL GRANTS TRUST FUND . . . 2,273

TOTAL: PROVIDE CRIME LAB SERVICES
FROM GENERAL REVENUE FUND 34,576,876
FROM TRUST FUNDS 10,452,701

TOTAL POSITIONS 406.00
TOTAL ALL FUNDS 45,029,577

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 32,603,173

1243 SALARIES AND BENEFITS POSITIONS 554.00
FROM GENERAL REVENUE FUND 35,243,451
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,245,706
FROM FEDERAL GRANTS TRUST FUND . . . 645,306
FROM GRANTS AND DONATIONS TRUST
FUND 4,991
FROM OPERATING TRUST FUND 9,082,832

1244 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 293,593
FROM ADMINISTRATIVE TRUST FUND . . . 25,276
FROM FEDERAL GRANTS TRUST FUND . . . 194,832
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 42,360
FROM GRANTS AND DONATIONS TRUST
FUND 1,342
FROM OPERATING TRUST FUND 38,070

1245 EXPENSES
FROM GENERAL REVENUE FUND 6,400,081
FROM ADMINISTRATIVE TRUST FUND . . . 132,670
FROM FEDERAL GRANTS TRUST FUND . . . 235,647
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 833,472
FROM GRANTS AND DONATIONS TRUST
FUND 62,000
FROM OPERATING TRUST FUND 2,863,089

From the funds provided in Specific Appropriation 1245 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.

1246 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,144
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 59,509
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 190,574

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1247 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 90,091
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 580,000

1248 SPECIAL CATEGORIES
FLORIDA SEAPORT SECURITY IMPROVEMENTS
FROM GENERAL REVENUE FUND 288,597

1249 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 534,741
FROM ADMINISTRATIVE TRUST FUND . . . 5,000
FROM FEDERAL GRANTS TRUST FUND . . . 147,441
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 34,624
FROM OPERATING TRUST FUND 121,896

1250 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM GENERAL REVENUE FUND 1,350,267
FROM FEDERAL GRANTS TRUST FUND . . . 1,522,672

1251 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL PROJECTS
FROM GENERAL REVENUE FUND 232,461

1252 SPECIAL CATEGORIES
OVERTIME
FROM ADMINISTRATIVE TRUST FUND . . . 3,013
FROM FEDERAL GRANTS TRUST FUND . . . 314,125
FROM GRANTS AND DONATIONS TRUST
FUND 60,085
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 1,018,486

1253 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 369,689
FROM ADMINISTRATIVE TRUST FUND . . . 164,217
FROM OPERATING TRUST FUND 108,661

1254 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 483,991
FROM OPERATING TRUST FUND 4,432

1255 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 108,664

1256 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 265,515
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 1,436
FROM FEDERAL GRANTS TRUST FUND . . . 4,386
FROM OPERATING TRUST FUND 5,851

TOTAL: PROVIDE INVESTIGATIVE SERVICES
FROM GENERAL REVENUE FUND 45,715,285
FROM TRUST FUNDS 19,759,001

TOTAL POSITIONS 554.00
TOTAL ALL FUNDS 65,474,286

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE 1,107,326

1257 SALARIES AND BENEFITS POSITIONS 18.00

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
FROM GENERAL REVENUE FUND 1,474,896
FROM OPERATING TRUST FUND 31,815

1258 EXPENSES
FROM GENERAL REVENUE FUND 131,246

1259 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,441

1260 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,324

1261 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 8,202
FROM OPERATING TRUST FUND 166

TOTAL: MUTUAL AID AND PREVENTION SERVICES
FROM GENERAL REVENUE FUND 1,626,109
FROM TRUST FUNDS 31,981

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 1,658,090

PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

APPROVED SALARY RATE 4,291,185

1262 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 1,649,075
FROM CRIMINAL JUSTICE STANDARDS
AND TRAINING TRUST FUND 32,716
FROM FEDERAL GRANTS TRUST FUND . . . 3,243,722
FROM GRANTS AND DONATIONS TRUST
FUND 51,071

1263 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,406
FROM ADMINISTRATIVE TRUST FUND . . . 50
FROM FEDERAL GRANTS TRUST FUND . . . 74
FROM GRANTS AND DONATIONS TRUST
FUND 20

1264 EXPENSES
FROM GENERAL REVENUE FUND 491,104
FROM ADMINISTRATIVE TRUST FUND . . . 26,391
FROM FEDERAL GRANTS TRUST FUND . . . 443,089
FROM GRANTS AND DONATIONS TRUST
FUND 6,389

1265 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,058

1266 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 21,529
FROM ADMINISTRATIVE TRUST FUND . . . 50
FROM FEDERAL GRANTS TRUST FUND . . . 350
FROM GRANTS AND DONATIONS TRUST
FUND 127

1267 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 9,760

1268 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,141

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		220
FROM FEDERAL GRANTS TRUST FUND . . .		19,714
FROM GRANTS AND DONATIONS TRUST FUND		4,958
1269 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	34,204	
FROM FEDERAL GRANTS TRUST FUND . . .		109,722
TOTAL: PUBLIC ASSISTANCE FRAUD INVESTIGATIONS		
FROM GENERAL REVENUE FUND	2,298,277	
FROM TRUST FUNDS		3,938,663
TOTAL POSITIONS	63.00	
TOTAL ALL FUNDS		6,236,940

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

APPROVED SALARY RATE 6,252,157

1270 SALARIES AND BENEFITS POSITIONS 119.00		
FROM GENERAL REVENUE FUND	250,929	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		141,595
FROM FEDERAL GRANTS TRUST FUND . . .		63,496
FROM OPERATING TRUST FUND		7,269,776
1271 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		5,838
FROM FEDERAL GRANTS TRUST FUND . . .		276,919
FROM OPERATING TRUST FUND		183,500
1272 EXPENSES		
FROM GENERAL REVENUE FUND	34,944	
FROM ADMINISTRATIVE TRUST FUND . . .		2,202
FROM FEDERAL GRANTS TRUST FUND . . .		33,107
FROM OPERATING TRUST FUND		7,618,834
1273 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		452,399
FROM OPERATING TRUST FUND		1,779,506
1274 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	599	
FROM ADMINISTRATIVE TRUST FUND . . .		113,100
FROM FEDERAL GRANTS TRUST FUND . . .		444,978
FROM OPERATING TRUST FUND		5,475,504
1275 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		46,200
1276 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND . . .		891
FROM OPERATING TRUST FUND		19,310
1277 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM OPERATING TRUST FUND		1,192,110
1278 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,290	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,902
FROM FEDERAL GRANTS TRUST FUND . . .		428
FROM OPERATING TRUST FUND		41,950
1279 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	294,762	
FROM TRUST FUNDS		25,195,285
TOTAL POSITIONS	119.00	
TOTAL ALL FUNDS		25,490,047

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE 10,022,614

1280 SALARIES AND BENEFITS POSITIONS 278.00		
FROM GENERAL REVENUE FUND	506,365	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		210,942
FROM FEDERAL GRANTS TRUST FUND . . .		469,151
FROM OPERATING TRUST FUND		12,256,913
1281 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	10,000	
FROM ADMINISTRATIVE TRUST FUND . . .		5,000
FROM FEDERAL GRANTS TRUST FUND . . .		348,129
FROM OPERATING TRUST FUND		436,394
1282 EXPENSES		
FROM GENERAL REVENUE FUND	172,721	
FROM ADMINISTRATIVE TRUST FUND . . .		85,781
FROM FEDERAL GRANTS TRUST FUND . . .		320,085
FROM OPERATING TRUST FUND		2,049,073
1283 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,600	
FROM OPERATING TRUST FUND		309,792
1284 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	402	
FROM OPERATING TRUST FUND		93,168
1285 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	202,478	
FROM ADMINISTRATIVE TRUST FUND . . .		2,000
FROM FEDERAL GRANTS TRUST FUND . . .		19,715
FROM OPERATING TRUST FUND		1,075,984
1286 SPECIAL CATEGORIES		
OVERTIME		
FROM OPERATING TRUST FUND		218,946
1287 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		62,869
1288 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM OPERATING TRUST FUND		5,160
1289 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	7,111	
FROM CRIMINAL JUSTICE STANDARDS		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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AND TRAINING TRUST FUND		1,732
FROM FEDERAL GRANTS TRUST FUND . . .		3,948
FROM OPERATING TRUST FUND		110,790
TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	901,677	
FROM TRUST FUNDS		18,085,572
TOTAL POSITIONS	278.00	
TOTAL ALL FUNDS		18,987,249

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,420,997

1290 SALARIES AND BENEFITS POSITIONS	48.00	
FROM GENERAL REVENUE FUND	39,760	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		2,916,934
1291 OTHER PERSONAL SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		205,380
1292 EXPENSES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		432,265
1293 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		29,772
1294 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		175,741
FROM OPERATING TRUST FUND		100,000
1295 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		7,021
1296 SPECIAL CATEGORIES		
GRANTS AND AIDS - SPECIAL EDUCATION AND TECHNICAL TRAINING		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,001,252
1297 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	246	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		22,759
TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE		
FROM GENERAL REVENUE FUND	40,006	
FROM TRUST FUNDS		9,891,124
TOTAL POSITIONS	48.00	
TOTAL ALL FUNDS		9,931,130

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

APPROVED SALARY RATE 2,470,445

1298 SALARIES AND BENEFITS POSITIONS	47.50	
FROM GENERAL REVENUE FUND	6,125	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,043,653
FROM OPERATING TRUST FUND		206,238
1299 OTHER PERSONAL SERVICES		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		660,798
FROM OPERATING TRUST FUND		3,000
1300 EXPENSES		
FROM GENERAL REVENUE FUND	20,368	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,800,393
FROM OPERATING TRUST FUND		61,178
1301 OPERATING CAPITAL OUTLAY		
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		203,819
1302 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,000	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		218,202
FROM OPERATING TRUST FUND		36,579
1303 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND . . .		590
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		8,951
1304 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	4,290	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		5,070
1305 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	2,229	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		20,308
FROM OPERATING TRUST FUND		1,405
TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES		
FROM GENERAL REVENUE FUND	34,012	
FROM TRUST FUNDS		6,270,184
TOTAL POSITIONS	47.50	
TOTAL ALL FUNDS		6,304,196
TOTAL: LAW ENFORCEMENT, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	88,304,667	
FROM TRUST FUNDS		159,641,055
TOTAL POSITIONS	1,744.00	
TOTAL ALL FUNDS		247,945,722
TOTAL APPROVED SALARY RATE	88,109,158	

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

CIVIL ENFORCEMENT

APPROVED SALARY RATE 26,577,879

1306 SALARIES AND BENEFITS POSITIONS	605.00	
FROM GENERAL REVENUE FUND	4,921,110	

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FROM CRIMES COMPENSATION TRUST FUND		2,758
FROM FEDERAL GRANTS TRUST FUND		12,038,263
FROM LEGAL SERVICES TRUST FUND		11,243,894
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		7,121,890
FROM MOTOR VEHICLE WARRANTY TRUST FUND		1,460,854
FROM OPERATING TRUST FUND		386,276
1307 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	89,404	
FROM FEDERAL GRANTS TRUST FUND		125,709
FROM LEGAL SERVICES TRUST FUND		240,834
FROM MOTOR VEHICLE WARRANTY TRUST FUND		85,512
1308 EXPENSES		
FROM GENERAL REVENUE FUND	843,474	
FROM FEDERAL GRANTS TRUST FUND		1,829,788
FROM LEGAL SERVICES TRUST FUND		1,825,200
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		5,539
FROM MOTOR VEHICLE WARRANTY TRUST FUND		427,384
FROM OPERATING TRUST FUND		7,830
1309 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	112,531	
FROM FEDERAL GRANTS 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
1310 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	53,927	
FROM FEDERAL GRANTS TRUST FUND		203,551
1311 SPECIAL CATEGORIES		
MEDICAID FRAUD INFORMANT REWARDS		
FROM OPERATING TRUST FUND		2,000,000
1312 SPECIAL CATEGORIES		
ANTITRUST INVESTIGATIONS		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		1,479,256
1313 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	71,979	
FROM FEDERAL GRANTS TRUST FUND		144,731
FROM LEGAL SERVICES TRUST FUND		719,580
FROM MOTOR VEHICLE WARRANTY TRUST FUND		74,281
1314 SPECIAL CATEGORIES		
ECONOMIC CRIME LITIGATION		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		5,153,230
1315 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	40,767	
FROM FEDERAL GRANTS TRUST FUND		88,917
FROM LEGAL SERVICES TRUST FUND		122,018
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		76,826
FROM MOTOR VEHICLE WARRANTY TRUST FUND		8,568
1316 SPECIAL CATEGORIES		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	75,645	
FROM FEDERAL GRANTS TRUST FUND		97,661
1317 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	58,230	
FROM FEDERAL GRANTS TRUST FUND		81,518
FROM LEGAL SERVICES TRUST FUND		71,343
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		36,078
FROM MOTOR VEHICLE WARRANTY TRUST FUND		9,762
1318 SPECIAL CATEGORIES		
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND		19,000

From the funds in Specific Appropriations 1318 and 1319, $223,349 from the Federal Grants Trust Fund is provided for the Child Predator Cybercrime Unit from Internet Crimes Against Children (ICAC) Task Force Program grants funded in the American Recovery and Reinvestment Act of 2009.

1319 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM FEDERAL GRANTS TRUST FUND		204,349
1320 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND		7,448
1321 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	12,483	
FROM FEDERAL GRANTS TRUST FUND		35,000
FROM LEGAL SERVICES TRUST FUND		192,081
TOTAL: CIVIL ENFORCEMENT		
FROM GENERAL REVENUE FUND	6,279,550	
FROM TRUST FUNDS		48,549,497
TOTAL POSITIONS	605.00	
TOTAL ALL FUNDS		54,829,047

CONSTITUTIONAL LEGAL SERVICES

APPROVED SALARY RATE	1,422,464	
1322 SALARIES AND BENEFITS	POSITIONS	22.50
FROM GENERAL REVENUE FUND	1,888,886	
FROM CRIMES COMPENSATION TRUST FUND		402
FROM OPERATING TRUST FUND		149,578
1323 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	21,754	
1324 EXPENSES		
FROM GENERAL REVENUE FUND	179,744	
1325 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,162	
1326 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	5,920	

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1327 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,950

1328 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,259
FROM OPERATING TRUST FUND 472

TOTAL: CONSTITUTIONAL LEGAL SERVICES
FROM GENERAL REVENUE FUND 2,141,675
FROM TRUST FUNDS 150,452

TOTAL POSITIONS 22.50
TOTAL ALL FUNDS 2,292,127

CRIMINAL AND CIVIL LITIGATION DEFENSE

APPROVED SALARY RATE 18,407,669

1329 SALARIES AND BENEFITS POSITIONS 357.50
FROM GENERAL REVENUE FUND 10,942,950
FROM CRIMES COMPENSATION TRUST FUND 3,000
FROM LEGAL SERVICES TRUST FUND . . . 11,165,149
FROM OPERATING TRUST FUND 1,831,872

1330 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 46,057
FROM LEGAL SERVICES TRUST FUND . . . 806,161

1331 EXPENSES
FROM GENERAL REVENUE FUND 1,487,408
FROM LEGAL SERVICES TRUST FUND . . . 1,975,081
FROM OPERATING TRUST FUND 20,620

1332 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 187,380
FROM LEGAL SERVICES TRUST FUND . . . 362,691

1332A LUMP SUM
ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS
POSITIONS 50.00

The positions in Specific Appropriation 1332A shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1333 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 104,367
FROM LEGAL SERVICES TRUST FUND . . . 1,273,819

From the funds in Specific Appropriation 1333, the department shall consult and contract with, as necessary, outside counsel specializing in impact fee litigation for assistance with Case No. 2010 CA 0478 in the Second Judicial Circuit of Florida.

1334 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM LEGAL SERVICES TRUST FUND . . . 46,500

1335 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 84,873
FROM LEGAL SERVICES TRUST FUND . . . 70,088

1336 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

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FROM GENERAL REVENUE FUND 77,137
FROM LEGAL SERVICES TRUST FUND . . . 69,408

1337 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM LEGAL SERVICES TRUST FUND . . . 30,972

TOTAL: CRIMINAL AND CIVIL LITIGATION DEFENSE
FROM GENERAL REVENUE FUND 12,930,172
FROM TRUST FUNDS 17,655,361

TOTAL POSITIONS 407.50
TOTAL ALL FUNDS 30,585,533

VICTIM SERVICES

APPROVED SALARY RATE 3,836,490

1338 SALARIES AND BENEFITS POSITIONS 90.00
FROM GENERAL REVENUE FUND 324
FROM CRIMES COMPENSATION TRUST FUND 4,755,645
FROM CRIME STOPPERS TRUST FUND . . . 89,415
FROM FEDERAL GRANTS TRUST FUND . . . 47,219
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 322,414

1339 OTHER PERSONAL SERVICES
FROM CRIMES COMPENSATION TRUST FUND 55,060
FROM CRIME STOPPERS TRUST FUND . . . 5,100
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 155,796

1340 EXPENSES
FROM CRIMES COMPENSATION TRUST FUND 783,053
FROM CRIME STOPPERS TRUST FUND . . . 63,415
FROM FEDERAL GRANTS TRUST FUND . . . 75,000
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 99,596

1341 OPERATING CAPITAL OUTLAY
FROM CRIMES COMPENSATION TRUST FUND 123,407
FROM CRIME STOPPERS TRUST FUND . . . 2,380
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 7,695

1342 SPECIAL CATEGORIES
AWARDS TO CLAIMANTS
FROM CRIMES COMPENSATION TRUST FUND 24,842,082
FROM FEDERAL GRANTS TRUST FUND . . . 11,687,000

From the funds in Specific Appropriation 1342, the Attorney General is directed to give priority to the payment of claims for forensic examinations for victims of sexual assault.

1343 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,131,192
FROM CRIMES COMPENSATION TRUST FUND 45,243
FROM FEDERAL GRANTS TRUST FUND . . . 30,000
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 108,408

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
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APPROPRIATION

From the funds in Specific Appropriation 1343, $250,000 in nonrecurring general revenue is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

1344 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY COMMUNITIES
CRIME PREVENTION PROGRAMS
FROM GENERAL REVENUE FUND 4,389,055

1345 SPECIAL CATEGORIES
GRANTS AND AIDS - CRIME STOPPERS
FROM GENERAL REVENUE FUND 3,500,000
FROM CRIME STOPPERS TRUST FUND . . . 1,000,000

1346 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMES COMPENSATION TRUST FUND 40,135
FROM CRIME STOPPERS TRUST FUND . . . 902
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 1,353

1347 SPECIAL CATEGORIES
GRANTS AND AIDS - VICTIM ASSISTANCE SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 25,000,000

1348 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CRIMES COMPENSATION TRUST FUND 33,094
FROM CRIME STOPPERS TRUST FUND . . . 294
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 2,243

TOTAL: VICTIM SERVICES
FROM GENERAL REVENUE FUND 10,020,571
FROM TRUST FUNDS 69,375,949

TOTAL POSITIONS 90.00
TOTAL ALL FUNDS 79,396,520

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,222,205

1349 SALARIES AND BENEFITS POSITIONS 133.00
FROM GENERAL REVENUE FUND 5,437,916
FROM ADMINISTRATIVE TRUST FUND . . . 3,180,607
FROM CRIMES COMPENSATION TRUST FUND 1,978
FROM LEGAL SERVICES TRUST FUND . . . 489
FROM OPERATING TRUST FUND 306,267

1350 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 50,000
FROM ADMINISTRATIVE TRUST FUND . . . 140,826

1351 EXPENSES
FROM GENERAL REVENUE FUND 317,374
FROM ADMINISTRATIVE TRUST FUND . . . 958,004

1352 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 90,461
FROM ADMINISTRATIVE TRUST FUND . . . 472,801

1353 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND 282,676

1354 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND 105,827

1355 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 175,531
FROM ADMINISTRATIVE TRUST FUND . . . 55,268

From the funds in Specific Appropriation 1355, $50,000 in nonrecurring general revenue is provided for the Cuban American Bar Association Pro Bono Project.

1356 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 47,907
FROM ADMINISTRATIVE TRUST FUND . . . 24,802

1357 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 41,321
FROM ADMINISTRATIVE TRUST FUND . . . 15,357

1358 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 135,441
FROM ADMINISTRATIVE TRUST FUND . . . 157,876

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 6,684,454
FROM TRUST FUNDS 5,314,275

TOTAL POSITIONS 133.00
TOTAL ALL FUNDS 11,998,729

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE 3,792,239

1359 SALARIES AND BENEFITS POSITIONS 65.50
FROM GENERAL REVENUE FUND 3,969,107
FROM CRIMES COMPENSATION TRUST FUND 1,272
FROM FEDERAL GRANTS TRUST FUND . . . 254,783
FROM OPERATING TRUST FUND 594,244

1360 SPECIAL CATEGORIES
STATEWIDE PROSECUTION
FROM GENERAL REVENUE FUND 846,301
FROM FEDERAL GRANTS TRUST FUND . . . 39,602
FROM OPERATING TRUST FUND 367,371

1361 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 32,024
FROM OPERATING TRUST FUND 902

1362 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,253
FROM OPERATING TRUST FUND 2,327

1362A SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,500

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
1362B SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 92,052

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME
FROM GENERAL REVENUE FUND 4,873,685
FROM TRUST FUNDS 1,354,053

TOTAL POSITIONS 65.50
TOTAL ALL FUNDS 6,227,738

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE 702,039

1363 SALARIES AND BENEFITS POSITIONS 14.00
FROM ELECTIONS COMMISSION TRUST
FUND 957,009

1364 OTHER PERSONAL SERVICES
FROM ELECTIONS COMMISSION TRUST
FUND 76,354

1365 EXPENSES
FROM ELECTIONS COMMISSION TRUST
FUND 232,821

1366 OPERATING CAPITAL OUTLAY
FROM ELECTIONS COMMISSION TRUST
FUND 10,000

1367 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ELECTIONS COMMISSION TRUST
FUND 85,063

1368 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ELECTIONS COMMISSION TRUST
FUND 13,348

1369 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ELECTIONS COMMISSION TRUST
FUND 6,764

1370 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ELECTIONS COMMISSION TRUST
FUND 6,349

TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT
FROM TRUST FUNDS 1,387,708

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,387,708

TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL
FROM GENERAL REVENUE FUND 42,930,107
FROM TRUST FUNDS 143,787,295

TOTAL POSITIONS 1,337.50
TOTAL ALL FUNDS 186,717,402
TOTAL APPROVED SALARY RATE 60,960,985

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
VICTIMS RIGHTS

APPROVED SALARY RATE 5,366,373

1371 SALARIES AND BENEFITS POSITIONS 128.00
FROM GENERAL REVENUE FUND 6,845,402
FROM FEDERAL GRANTS TRUST FUND . . . 45,962

1372 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 77,514

1373 EXPENSES
FROM GENERAL REVENUE FUND 879,935

From the funds in Specific Appropriation 1373, 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, 2010:

1. A valid determination of the exact number of pending Restoration of Civil Rights (RCR) cases existing on July 1, 2010, 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 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.

1374 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,771

1375 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 84,982

1376 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,175

1377 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 194,450

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS
FROM GENERAL REVENUE FUND 8,160,229
FROM TRUST FUNDS 45,962

TOTAL POSITIONS 128.00
TOTAL ALL FUNDS 8,206,191

TOTAL: PAROLE COMMISSION
FROM GENERAL REVENUE FUND 8,160,229
FROM TRUST FUNDS 45,962

TOTAL POSITIONS 128.00
TOTAL ALL FUNDS 8,206,191

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS
SPECIFIC
APPROPRIATION
TOTAL APPROVED SALARY RATE 5,366,373

TOTAL OF SECTION 4

FROM GENERAL REVENUE FUND 3,495,316,430
FROM TRUST FUNDS 1,155,567,660
TOTAL POSITIONS 47,361.75
TOTAL ALL FUNDS 4,650,884,090

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The moneys 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.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

APPROVED SALARY RATE 2,274,922

1378 SALARIES AND BENEFITS POSITIONS 40.50
FROM GENERAL REVENUE FUND 2,905,863
FROM CITRUS INSPECTION TRUST FUND . 58,541
FROM GENERAL INSPECTION TRUST FUND . 312,618

1379 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

1380 EXPENSES
FROM GENERAL REVENUE FUND 483,232
FROM FEDERAL GRANTS TRUST FUND . . . 60,000
FROM GENERAL INSPECTION TRUST FUND . 27,868

1381 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,028
FROM FEDERAL GRANTS TRUST FUND . . . 390,000

1382 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 81,463

1383 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

1384 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,289
FROM CITRUS INSPECTION TRUST FUND . 1,411
FROM GENERAL INSPECTION TRUST FUND . 285

TOTAL: AGRICULTURAL LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 3,539,807
FROM TRUST FUNDS 856,211
TOTAL POSITIONS 40.50
TOTAL ALL FUNDS 4,396,018

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE 1,890,413

1385 SALARIES AND BENEFITS POSITIONS 35.00
FROM GENERAL INSPECTION TRUST FUND . 2,353,193

1386 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . 399,234

1387 SPECIAL CATEGORIES
ANIMAL WASTE MANAGEMENT
FROM GENERAL INSPECTION TRUST FUND . 200,000

1388 SPECIAL CATEGORIES
NITRATE RESEARCH AND REMEDIATION
FROM GENERAL INSPECTION TRUST FUND . 930,000

1389 SPECIAL CATEGORIES
BEST MANAGEMENT PRACTICES - COST SHARE
FROM GENERAL REVENUE FUND 3,500,000
FROM GENERAL INSPECTION TRUST FUND . 7,476,696

Of the funds in Specific Appropriation 1389, $50,000 in nonrecurring funds from the General Inspection Trust Fund is provided for the Association of Florida Conservation Districts' contract for support services to all Florida's Soil and Water Conservation Districts.

Of the funds in Specific Appropriation 1389, $3,500,000 in nonrecurring general revenue and $500,000 in nonrecurring funds from the General Inspection Trust Fund are provided for the Florida Water Quality Compliance and Improvement Best Management Practices project to adapt real-time radio frequency soil-sensor based systems from a limited research setting to deployment in agricultural fields to assess their effectiveness in irrigation decision-making, reduction in water use, and minimizing nutrient loss of nitrogen and phosphorous due to leaching and runoff. This project will include installing remote sensor systems in different field locations, calibrating the sensors to the fields, evaluating soil samples along a depth profile to determine moisture, nitrogen, and phosphorous content, and calculating daily water and nutrient uptake from different soil regions. The field data will be a concentration model for target crops that can be extended to the watershed level. Use of this model will augment weather, hydrologic, and water quality information for the development of improved best management practices for nutrient management and optimum irrigation scheduling for reduction of nutrient runoff and leaching.

1390 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 13,642

TOTAL: AGRICULTURAL WATER POLICY COORDINATION
FROM GENERAL REVENUE FUND 3,500,000
FROM TRUST FUNDS 11,372,765
TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 14,872,765

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,284,224

1391 SALARIES AND BENEFITS POSITIONS 176.75
FROM GENERAL REVENUE FUND 6,794,874
FROM ADMINISTRATIVE TRUST FUND . . . 4,973,596
FROM FEDERAL GRANTS TRUST FUND . . . 3,529
FROM GENERAL INSPECTION TRUST FUND . 358,710
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 256,537

1392 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 70,524

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	FROM ADMINISTRATIVE TRUST FUND . . .		10,352
1393	EXPENSES		
	FROM GENERAL REVENUE FUND	342,135	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,435,508
	FROM GENERAL INSPECTION TRUST FUND .		158,231
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		132,058
1394	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,614	
1394A	SPECIAL CATEGORIES		
	FEDERAL VALUE OF PRODUCTION SPECIALTY CROP GRANT		
	FROM FEDERAL GRANTS TRUST FUND . . .		6,000,000
1395	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	15,167	
	FROM ADMINISTRATIVE TRUST FUND . . .		62,666
1396	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		618,000
1397	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	35,556	
	FROM ADMINISTRATIVE TRUST FUND . . .		63,095
1398	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	4,000	
1399	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	45,657	
	FROM ADMINISTRATIVE TRUST FUND . . .		25,183
	FROM FEDERAL GRANTS TRUST FUND . . .		21
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		750
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	7,312,527	
	FROM TRUST FUNDS		14,098,236
	TOTAL POSITIONS	176.75	
	TOTAL ALL FUNDS		21,410,763

DIVISION OF LICENSING

APPROVED SALARY RATE 6,120,732

1400	SALARIES AND BENEFITS POSITIONS	170.00	
	FROM DIVISION OF LICENSING TRUST FUND		8,721,121
1401	OTHER PERSONAL SERVICES		
	FROM DIVISION OF LICENSING TRUST FUND		1,321,832
1402	EXPENSES		
	FROM DIVISION OF LICENSING TRUST FUND		3,468,613
1403	OPERATING CAPITAL OUTLAY		
	FROM DIVISION OF LICENSING TRUST FUND		197,427

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1404	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM DIVISION OF LICENSING TRUST FUND		4,844,519
1405	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM DIVISION OF LICENSING TRUST FUND		76,271
1406	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM DIVISION OF LICENSING TRUST FUND		65,034
TOTAL: DIVISION OF LICENSING			
	FROM TRUST FUNDS		18,694,817
	TOTAL POSITIONS	170.00	
	TOTAL ALL FUNDS		18,694,817

PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

APPROVED SALARY RATE 17,447,390

1407	SALARIES AND BENEFITS POSITIONS	480.00	
	FROM GENERAL REVENUE FUND	6,578,883	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,095,282
	FROM INCIDENTAL TRUST FUND		3,827,785
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		11,958,591
1408	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		643,654
	FROM INCIDENTAL TRUST FUND		375,769
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		410,000
1409	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,397,560
	FROM INCIDENTAL TRUST FUND		2,685,435
	FROM RELOCATION AND CONSTRUCTION TRUST FUND		10,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,238,030
1410	AID TO LOCAL GOVERNMENTS		
	AMERICA THE BEAUTIFUL PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,747,538
1411	AID TO LOCAL GOVERNMENTS		
	STATE FOREST RECEIPT DISTRIBUTION		
	FROM INCIDENTAL TRUST FUND		595,000
1412	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,456	
	FROM FEDERAL GRANTS TRUST FUND . . .		159,150
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		135,600
1413	SPECIAL CATEGORIES		
	PRIVATE LAND OWNER COST SHARE ASSISTANCE PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .		600,000
1414	SPECIAL CATEGORIES		
	OFF-HIGHWAY VEHICLE RECREATION PROGRAM		
	FROM INCIDENTAL TRUST FUND		700,000
1415	SPECIAL CATEGORIES		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 806,825
FROM INCIDENTAL TRUST FUND 313,351
FROM RELOCATION AND CONSTRUCTION
TRUST FUND 140,000
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 1,094,983

1416 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 146,119
FROM INCIDENTAL TRUST FUND 41,051
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 217,831

1417 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 87,730
FROM FEDERAL GRANTS TRUST FUND . . . 8,635
FROM INCIDENTAL TRUST FUND 14,989
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 89,647

1418 FIXED CAPITAL OUTLAY
CONSERVATION AND RURAL LAND PROTECTION
EASEMENTS AND AGREEMENTS
FROM FLORIDA FOREVER PROGRAM TRUST
FUND 525,000

1419 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FLORIDA FOREVER PROGRAM TRUST
FUND 225,000

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND 6,816,188
FROM TRUST FUNDS 33,056,706

TOTAL POSITIONS 480.00
TOTAL ALL FUNDS 39,872,894

WILDFIRE PREVENTION AND MANAGEMENT

APPROVED SALARY RATE 25,443,097

1420 SALARIES AND BENEFITS POSITIONS 736.50
FROM GENERAL REVENUE FUND 34,060,657
FROM FEDERAL GRANTS TRUST FUND . . . 1,383,192
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 952,996
FROM INCIDENTAL TRUST FUND 2,213,814

1421 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 376,742
FROM FEDERAL GRANTS TRUST FUND . . . 277,349
FROM INCIDENTAL TRUST FUND 25,000

1422 EXPENSES
FROM GENERAL REVENUE FUND 3,327,093
FROM FEDERAL GRANTS TRUST FUND . . . 1,591,567
FROM INCIDENTAL TRUST FUND 2,281,418
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 1,006,707

1423 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOLUNTEER FIRE
ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 215,763

1424 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - RURAL COMMUNITY FIRE
PROTECTION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 72,589

1425 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,731
FROM FEDERAL GRANTS TRUST FUND . . . 558,625

1426 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 100,000

1427 SPECIAL CATEGORIES
FORESTRY WILDFIRE PROTECTION/SUPPRESSION
EQUIPMENT
FROM FEDERAL GRANTS TRUST FUND . . . 400,000
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,000,000
FROM INCIDENTAL TRUST FUND 156,868

1428 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 133,794
FROM FEDERAL GRANTS TRUST FUND . . . 2,099,078
FROM INCIDENTAL TRUST FUND 123,756
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 34,468

1429 SPECIAL CATEGORIES
ON-CALL FEES
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 333,296
FROM INCIDENTAL TRUST FUND 10,000

1430 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,183,725
FROM INCIDENTAL TRUST FUND 282,966

1431 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 267,009
FROM FEDERAL GRANTS TRUST FUND . . . 8,958
FROM INCIDENTAL TRUST FUND 14,386

1432 SPECIAL CATEGORIES
GRANTS AND AIDS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 6,286,000

1433 FIXED CAPITAL OUTLAY
REPLACE FORESTRY STATIONS - STATEWIDE
FROM RELOCATION AND CONSTRUCTION
TRUST FUND 600,000

TOTAL: WILDFIRE PREVENTION AND MANAGEMENT
FROM GENERAL REVENUE FUND 39,359,751
FROM TRUST FUNDS 22,028,796

TOTAL POSITIONS 736.50
TOTAL ALL FUNDS 61,388,547

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,192,102

1434 SALARIES AND BENEFITS POSITIONS 42.00
FROM GENERAL REVENUE FUND 1,120,419
FROM GENERAL INSPECTION TRUST FUND . 1,745,493

1435 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,348

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1436 EXPENSES
FROM GENERAL REVENUE FUND 166,801
FROM DIVISION OF LICENSING TRUST FUND 116,125
FROM GENERAL INSPECTION TRUST FUND . 2,166,225

1437 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . 125,000

1438 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 389,334
FROM GENERAL INSPECTION TRUST FUND . 375,295

1439 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,190
FROM GENERAL INSPECTION TRUST FUND . 10,035

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 1,731,092
FROM TRUST FUNDS 4,538,173

TOTAL POSITIONS 42.00
TOTAL ALL FUNDS 6,269,265

PROGRAM: FOOD SAFETY AND QUALITY

DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 1,007,867

1440 SALARIES AND BENEFITS POSITIONS 25.00
FROM GENERAL REVENUE FUND 1,447,106

1441 EXPENSES
FROM GENERAL REVENUE FUND 220,928
FROM GENERAL INSPECTION TRUST FUND . 24,141

1442 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,500

1443 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 24,960

1444 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,598

1445 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,217

TOTAL: DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT
FROM GENERAL REVENUE FUND 1,719,309
FROM TRUST FUNDS 24,141

TOTAL POSITIONS 25.00
TOTAL ALL FUNDS 1,743,450

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 11,420,727

1446 SALARIES AND BENEFITS POSITIONS 292.00
FROM FEDERAL GRANTS TRUST FUND . . . 1,760,811
FROM GENERAL INSPECTION TRUST FUND . 14,383,101

1447 OTHER PERSONAL SERVICES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND . . . 223,441
FROM GENERAL INSPECTION TRUST FUND . 263,000

1448 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 732,195
FROM GENERAL INSPECTION TRUST FUND . 1,823,140

From the funds in Specific Appropriation 1448, up to $900 from the General Inspection Trust Fund is provided to the department to assess federal, state and local regulations that may affect small farms when introducing their agricultural products into commerce. In accordance with section 500.033, Florida Statutes, the Florida Food Safety and Food Defense Advisory Council shall assess the food safety requirements for food permits that govern small farm facilities permitted as food establishments. The council will complete the assessment and report its findings to the Commissioner of Agriculture by December 1, 2010. The department shall submit recommendations to the President of the Senate and Speaker of the House of Representatives by December 31, 2010, focusing on the most efficient and effective ways to ensure food safety while minimizing the cost to small farmers. The report is due to the President of the Senate and the Speaker of the House of Representatives by December 31, 2010.

1449 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 250,747
FROM GENERAL INSPECTION TRUST FUND . 47,333

1449A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 10,414
FROM GENERAL INSPECTION TRUST FUND . 10,415

1450 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 370,707
FROM GENERAL INSPECTION TRUST FUND . 360,000

1451 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL GRANTS TRUST FUND . . . 2,664
FROM GENERAL INSPECTION TRUST FUND . 99,674

1452 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 4,740
FROM GENERAL INSPECTION TRUST FUND . 104,404

TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS 20,446,786

TOTAL POSITIONS 292.00
TOTAL ALL FUNDS 20,446,786

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE 8,116,558

1453 SALARIES AND BENEFITS POSITIONS 199.00
FROM GENERAL REVENUE FUND 839,998
FROM FEDERAL GRANTS TRUST FUND . . . 559,272
FROM GENERAL INSPECTION TRUST FUND . 6,951,631
FROM PEST CONTROL TRUST FUND 2,911,685

1454 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100
FROM FEDERAL GRANTS TRUST FUND . . . 145,000
FROM GENERAL INSPECTION TRUST FUND . 18,000
FROM PEST CONTROL TRUST FUND 21,530

1455 EXPENSES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	15,996	
FROM FEDERAL GRANTS TRUST FUND . . .		338,295
FROM GENERAL INSPECTION TRUST FUND .		1,106,122
FROM PEST CONTROL TRUST FUND		376,076

1456 AID TO LOCAL GOVERNMENTS
MOSQUITO CONTROL PROGRAM
FROM GENERAL INSPECTION TRUST FUND . 2,166,168

Of the funds provided in Specific Appropriation 1456, $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.

1457 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	1,513	
FROM FEDERAL GRANTS TRUST FUND . . .		142,500

1458 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 108,000

1460 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	107,372	
FROM FEDERAL GRANTS TRUST FUND . . .		396,278
FROM GENERAL INSPECTION TRUST FUND .		125,124
FROM PEST CONTROL TRUST FUND		106,425

1461 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	93,968	
FROM GENERAL INSPECTION TRUST FUND .		46,988

1462 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	22,873	
FROM FEDERAL GRANTS TRUST FUND . . .		2,132
FROM GENERAL INSPECTION TRUST FUND .		38,477
FROM PEST CONTROL TRUST FUND		18,985

TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES

FROM GENERAL REVENUE FUND	1,081,820	
FROM TRUST FUNDS		15,578,688
TOTAL POSITIONS	199.00	
TOTAL ALL FUNDS		16,660,508

CONSUMER PROTECTION

APPROVED SALARY RATE 4,887,343

1463 SALARIES AND BENEFITS POSITIONS 134.00
FROM GENERAL INSPECTION TRUST FUND . 6,534,485

1464 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND . 68,713

1465 EXPENSES

FROM FEDERAL GRANTS TRUST FUND . . .	8,518
FROM GENERAL INSPECTION TRUST FUND .	1,173,481

1466 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND . 268,846

1467 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL INSPECTION TRUST FUND . 42,051

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1468 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 50,285

TOTAL: CONSUMER PROTECTION

FROM TRUST FUNDS		8,146,379
TOTAL POSITIONS	134.00	
TOTAL ALL FUNDS		8,146,379

STANDARDS AND PETROLEUM QUALITY INSPECTION

APPROVED SALARY RATE 6,436,255

1469 SALARIES AND BENEFITS POSITIONS 182.00
FROM GENERAL INSPECTION TRUST FUND . 9,018,064

1470 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND . 59,572

1471 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . 1,830,914

1472 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . 437

1473 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND . 1,290,000

From the funds in Specific Appropriation 1473, $500,000 in nonrecurring funds shall be transferred to the Technology Research and Development Authority for implementation of a clean technology entrepreneurship initiative.

1474 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL INSPECTION TRUST FUND . 186,547

1475 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND . 69,780

TOTAL: STANDARDS AND PETROLEUM QUALITY INSPECTION

FROM TRUST FUNDS		12,455,314
TOTAL POSITIONS	182.00	
TOTAL ALL FUNDS		12,455,314

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 6,160,422

1476 SALARIES AND BENEFITS POSITIONS 184.00

FROM CITRUS INSPECTION TRUST FUND .	6,310,702
FROM GENERAL INSPECTION TRUST FUND .	2,774,277

1477 OTHER PERSONAL SERVICES

FROM CITRUS INSPECTION TRUST FUND .	678,425
FROM GENERAL INSPECTION TRUST FUND .	500,000

1478 EXPENSES

FROM CITRUS INSPECTION TRUST FUND .	1,124,913
FROM GENERAL INSPECTION TRUST FUND .	522,171

1479 OPERATING CAPITAL OUTLAY
FROM CITRUS INSPECTION TRUST FUND . 33,710

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1480 SPECIAL CATEGORIES
AUTOMATED TESTING EQUIPMENT
FROM CITRUS INSPECTION TRUST FUND . 516,041

1481 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS INSPECTION TRUST FUND . 98,428
FROM GENERAL INSPECTION TRUST FUND . 39,462

1482 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS INSPECTION TRUST FUND . 282,020
FROM GENERAL INSPECTION TRUST FUND . 32,651

1483 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS INSPECTION TRUST FUND . 82,350
FROM GENERAL INSPECTION TRUST FUND . 25,313

TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS 13,020,463

TOTAL POSITIONS 184.00
TOTAL ALL FUNDS 13,020,463

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 6,713,841

1484 SALARIES AND BENEFITS POSITIONS 185.00
FROM GENERAL REVENUE FUND 989,180
FROM CITRUS INSPECTION TRUST FUND . 1,359,367
FROM FEDERAL GRANTS TRUST FUND . . . 404,669
FROM GENERAL INSPECTION TRUST FUND . 1,771,712
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,565,901
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 2,406,211
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 853,557
FROM FLORIDA AGRICULTURAL
PROMOTION CAMPAIGN TRUST FUND . . . 43,182

1485 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,600
FROM CITRUS INSPECTION TRUST FUND . 213,765
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 53,598
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 26,400

1486 EXPENSES
FROM GENERAL REVENUE FUND 199,733
FROM CITRUS INSPECTION TRUST FUND . 323,828
FROM FEDERAL GRANTS TRUST FUND . . . 1,013,100
FROM GENERAL INSPECTION TRUST FUND . 848,127
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 100,000
FROM MARKET TRADE SHOW TRUST FUND . 101,601
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 848,703
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 326,022
FROM VITICULTURE TRUST FUND 9,580
FROM FLORIDA AGRICULTURAL
PROMOTION CAMPAIGN TRUST FUND . . . 121,622

1487 OPERATING CAPITAL OUTLAY
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 10,500

1488 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

ACQUISITION OF MOTOR VEHICLES
FROM CITRUS INSPECTION TRUST FUND . 104,000
FROM FEDERAL GRANTS TRUST FUND . . . 50,000

1489 SPECIAL CATEGORIES
GRANTS AND AIDS - VITICULTURE PROGRAM
FROM VITICULTURE TRUST FUND 500,000

1490 SPECIAL CATEGORIES
FLORIDA AGRICULTURE PROMOTION CAMPAIGN
FROM GENERAL REVENUE FUND 1,800,000
FROM AGRICULTURAL EMERGENCY
ERADICATION TRUST FUND 1,310,000

1491 SPECIAL CATEGORIES
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE
PROMOTIONS
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000

1491A SPECIAL CATEGORIES
SUPPORT FOR FOOD BANK
FROM GENERAL INSPECTION TRUST FUND . 200,000

Funds in Specific Appropriation 1491A are provided for the Florida Association of Food Banks.

1492 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 15,219
FROM CITRUS INSPECTION TRUST FUND . 25,000
FROM FEDERAL GRANTS TRUST FUND . . . 154,400
FROM GENERAL INSPECTION TRUST FUND . 175,600
FROM MARKET TRADE SHOW TRUST FUND . 75,000
FROM MARKET IMPROVEMENTS WORKING
CAPITAL TRUST FUND 28,600
FROM SALTWATER PRODUCTS PROMOTION
TRUST FUND 25,000

1493 SPECIAL CATEGORIES
GRANTS AND AIDS - MARKETING ORDERS
FROM CITRUS INSPECTION TRUST FUND . 7,149,231
FROM GENERAL INSPECTION TRUST FUND . 475,082

Of the funds in Specific Appropriation 1493, $4,766,154 from the Citrus Inspection Trust Fund is contingent upon House Bill 981 or similar legislation, relating to Citrus Marketing Orders, becoming law.

1493A SPECIAL CATEGORIES
AGRICULTURAL RESEARCH
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 1493A shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease. Distribution of such funds for a particular research project is contingent upon one and a half dollar for dollar cash match from federal or private funds or from citrus box tax revenues. At no time shall the funds appropriated in Specific Appropriation 1493A allocated to a particular project, exceed the private, federal, and citrus box tax funds provided for that project.

1493B SPECIAL CATEGORIES
FARM SHARE PROGRAM
FROM GENERAL INSPECTION TRUST FUND . 200,000

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 FEDERAL GRANTS TRUST FUND . . . 3,071,184

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1496 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 25,018
FROM CITRUS INSPECTION TRUST FUND . 8,883
FROM FEDERAL GRANTS TRUST FUND . . . 7,234
FROM GENERAL INSPECTION TRUST FUND . 18,037
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 32,809
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 9,101

1497 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 23,345
FROM CITRUS INSPECTION TRUST FUND . 10,054
FROM FEDERAL GRANTS TRUST FUND . . . 2,994
FROM GENERAL INSPECTION TRUST FUND . 10,748
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 18,782
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 6,356
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . . 319

1498 FIXED CAPITAL OUTLAY
BUILDING DEMOLITION - STATEWIDE
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 220,000

1499 FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 205,250

1500 FIXED CAPITAL OUTLAY
CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND 99,450

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM GENERAL REVENUE FUND 4,061,095
FROM TRUST FUNDS 27,894,559

TOTAL POSITIONS 185.00
TOTAL ALL FUNDS 31,955,654

AQUACULTURE

APPROVED SALARY RATE 2,045,074

1501 SALARIES AND BENEFITS POSITIONS 50.50
FROM GENERAL REVENUE FUND 1,947,890
FROM GENERAL INSPECTION TRUST FUND . 909,824

1502 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 116,700
FROM GENERAL INSPECTION TRUST FUND . 30,532

1503 EXPENSES
FROM GENERAL REVENUE FUND 719,867
FROM FEDERAL GRANTS TRUST FUND . . . 109,000
FROM GENERAL INSPECTION TRUST FUND . 285,966

1504 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 50,000
FROM GENERAL INSPECTION TRUST FUND . 12,600

1505 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND . 85,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1506 SPECIAL CATEGORIES
OYSTER PLANTING
FROM FEDERAL GRANTS TRUST FUND . . . 917,175
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 201

1507 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,631
FROM GENERAL INSPECTION TRUST FUND . 1,708

1507A SPECIAL CATEGORIES
AQUACULTURE DEVELOPMENT
FROM GENERAL REVENUE FUND 55,780
FROM GENERAL INSPECTION TRUST FUND . 121,260

1508 SPECIAL CATEGORIES
AQUACULTURE PROGRAM GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 350,000

1509 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,645
FROM GENERAL INSPECTION TRUST FUND . 4,377

TOTAL: AQUACULTURE
FROM GENERAL REVENUE FUND 2,750,813
FROM TRUST FUNDS 2,994,343

TOTAL POSITIONS 50.50
TOTAL ALL FUNDS 5,745,156

AGRICULTURAL INTERDICTION STATIONS

APPROVED SALARY RATE 9,681,315

1510 SALARIES AND BENEFITS POSITIONS 236.00
FROM GENERAL REVENUE FUND 13,212,683
FROM GENERAL INSPECTION TRUST FUND . 127,126
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 560,878

1511 EXPENSES
FROM GENERAL REVENUE FUND 710,188
FROM CITRUS INSPECTION TRUST FUND . 36,718
FROM GENERAL INSPECTION TRUST FUND . 49,022
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 94,050

1512 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,747

1513 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 123,380

1514 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 120,455

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 87,595
FROM GENERAL INSPECTION TRUST FUND . 532

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL: AGRICULTURAL INTERDICTION STATIONS		
FROM GENERAL REVENUE FUND	14,338,063	
FROM TRUST FUNDS		886,754
TOTAL POSITIONS	236.00	
TOTAL ALL FUNDS		15,224,817

ANIMAL PEST AND DISEASE CONTROL

APPROVED SALARY RATE 5,654,250

1517 SALARIES AND BENEFITS POSITIONS	137.50	
FROM GENERAL REVENUE FUND	6,253,723	
FROM FEDERAL GRANTS TRUST FUND . . .		391,272
FROM GENERAL INSPECTION TRUST FUND .		502,612
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		427,049
1518 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	11,866	
FROM FEDERAL GRANTS TRUST FUND . . .		395,703
FROM GENERAL INSPECTION TRUST FUND .		61,642
1519 EXPENSES		
FROM GENERAL REVENUE FUND	366,654	
FROM FEDERAL GRANTS TRUST FUND . . .		967,670
FROM GENERAL INSPECTION TRUST FUND .		373,018
1520 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	50,949	
1521 SPECIAL CATEGORIES		
ANIMAL PEST AND DISEASE CONTROL		
FROM FEDERAL GRANTS TRUST FUND . . .		1,000,000
1522 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL INSPECTION TRUST FUND .		300,373
1523 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	115,048	
FROM FEDERAL GRANTS TRUST FUND . . .		50
FROM GENERAL INSPECTION TRUST FUND .		13,091
1524 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	50,462	
FROM FEDERAL GRANTS TRUST FUND . . .		2,689
FROM GENERAL INSPECTION TRUST FUND .		3,456
TOTAL: ANIMAL PEST AND DISEASE CONTROL		
FROM GENERAL REVENUE FUND	6,848,702	
FROM TRUST FUNDS		4,438,625
TOTAL POSITIONS	137.50	
TOTAL ALL FUNDS		11,287,327

PLANT PEST AND DISEASE CONTROL

APPROVED SALARY RATE 13,062,830

1525 SALARIES AND BENEFITS POSITIONS	362.00	
FROM GENERAL REVENUE FUND	8,649,800	
FROM CITRUS INSPECTION TRUST FUND .		849,010
FROM FEDERAL GRANTS TRUST FUND . . .		3,276,283
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,793,207
FROM PLANT INDUSTRY TRUST FUND . . .		2,797,838
1526 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	21,170	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM CITRUS INSPECTION TRUST FUND .		1,000
FROM FEDERAL GRANTS TRUST FUND . . .		419,808
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		19,817
FROM PLANT INDUSTRY TRUST FUND . . .		808,560
1527 EXPENSES		
FROM GENERAL REVENUE FUND	894,890	
FROM CITRUS INSPECTION TRUST FUND .		79,898
FROM FEDERAL GRANTS TRUST FUND . . .		437,167
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		23,962
FROM PLANT INDUSTRY TRUST FUND . . .		724,866
1528 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .		66,195
FROM PLANT INDUSTRY TRUST FUND . . .		5,006
1529 SPECIAL CATEGORIES		
AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)		
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		1,002,374
1530 SPECIAL CATEGORIES		
GRANTS AND AIDS - BOLL WEEVIL ERADICATION		
FROM PLANT INDUSTRY TRUST FUND . . .		560,000
1531 SPECIAL CATEGORIES		
APIARIAN INDEMNITIES		
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		36,000
1532 SPECIAL CATEGORIES		
ENDANGERED PLANT SPECIES		
FROM PLANT INDUSTRY TRUST FUND . . .		240,000
1533 SPECIAL CATEGORIES		
CITRUS HEALTH RESPONSE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND . . .		5,606,038
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		1,522,159
1534 SPECIAL CATEGORIES		
PLANT PEST AND DISEASE CONTROL		
FROM FEDERAL GRANTS TRUST FUND . . .		1,000,000
1535 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	104,481	
FROM CITRUS INSPECTION TRUST FUND .		7,144
FROM FEDERAL GRANTS TRUST FUND . . .		12,538
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		120,000
FROM PLANT INDUSTRY TRUST FUND . . .		118,049
1536 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	628,104	
FROM FEDERAL GRANTS TRUST FUND . . .		186,643
1537 SPECIAL CATEGORIES		
TRANSFER TO UNIVERSITY OF FLORIDA/ INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY		
FROM PLANT INDUSTRY TRUST FUND . . .		720,000
1538 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	171,471	
FROM CITRUS INSPECTION TRUST FUND .		11,713
FROM FEDERAL GRANTS TRUST FUND . . .		45,921

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM PLANT INDUSTRY TRUST FUND . . . 39,616

TOTAL: PLANT PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 10,469,916
FROM TRUST FUNDS 23,530,812

TOTAL POSITIONS 362.00
TOTAL ALL FUNDS 34,000,728

TOTAL: AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE
FROM GENERAL REVENUE FUND 103,529,083
FROM TRUST FUNDS 234,062,568

TOTAL POSITIONS 3,667.75
TOTAL ALL FUNDS 337,591,651
TOTAL APPROVED SALARY RATE 139,839,362

COMMUNITY AFFAIRS, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY

LAND ADMINISTRATION

APPROVED SALARY RATE 728,520

1539 SALARIES AND BENEFITS POSITIONS 16.00
FROM FLORIDA COMMUNITIES TRUST
FUND 1,006,889

1540 OTHER PERSONAL SERVICES
FROM FLORIDA COMMUNITIES TRUST
FUND 36,580

1541 EXPENSES
FROM FLORIDA COMMUNITIES TRUST
FUND 181,379

1542 OPERATING CAPITAL OUTLAY
FROM FLORIDA COMMUNITIES TRUST
FUND 1,920

1543 SPECIAL CATEGORIES
TRANSFER FLORIDA COMMUNITIES TRUST
REVENUES
FROM FLORIDA COMMUNITIES TRUST
FUND 190,000

Funds in Specific Appropriation 1543 shall be transferred to the Grants and Donations Trust Fund in the Division of Community Planning.

1544 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA COMMUNITIES TRUST
FUND 1,769

1545 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA COMMUNITIES TRUST
FUND 6,921

1546 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY
ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS,
STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST
FUND 3,150,000

1547 FIXED CAPITAL OUTLAY
WORKING WATERFRONTS PROGRAM
FROM FLORIDA FOREVER PROGRAM TRUST
FUND 375,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL: LAND ADMINISTRATION
FROM TRUST FUNDS 4,950,458

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 4,950,458

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 1548 through 1556, the Department of Community Affairs shall execute a service level agreement by September 1, 2010, to specify the services and levels of services it is to receive from Southwood Shared Resource Center (SSRC) pursuant to section 282.203(1)(g), Florida Statutes. If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 3,646,329

1548 SALARIES AND BENEFITS POSITIONS 77.00
FROM GENERAL REVENUE FUND 702,664
FROM ADMINISTRATIVE TRUST FUND . . . 4,259,244
FROM GRANTS AND DONATIONS TRUST
FUND 149,945

1549 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 414,768

1550 EXPENSES
FROM GENERAL REVENUE FUND 56,457
FROM ADMINISTRATIVE TRUST FUND . . . 1,121,429
FROM GRANTS AND DONATIONS TRUST
FUND 17,656

1551 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 67,637

1552 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 446,582

1553 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 34,379

1554 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,962
FROM ADMINISTRATIVE TRUST FUND . . . 115,796
FROM GRANTS AND DONATIONS TRUST
FUND 258

1555 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,284
FROM ADMINISTRATIVE TRUST FUND . . . 19,819
FROM GRANTS AND DONATIONS TRUST
FUND 1,041

1556 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 1,612

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 1,259,949
FROM TRUST FUNDS 6,203,584

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	77.00	
TOTAL ALL FUNDS		7,463,533

PROGRAM: COMMUNITY PLANNING

COMMUNITY PLANNING

APPROVED SALARY RATE 2,780,132

1557 SALARIES AND BENEFITS POSITIONS	61.00	
FROM GENERAL REVENUE FUND	3,347,362	
FROM GRANTS AND DONATIONS TRUST FUND		333,926
1558 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	147,633	
FROM GRANTS AND DONATIONS TRUST FUND		236,888
1559 EXPENSES		
FROM GENERAL REVENUE FUND	388,570	
FROM GRANTS AND DONATIONS TRUST FUND		58,000
1560 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,500	
FROM GRANTS AND DONATIONS TRUST FUND		500
1562 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	393,182	
1563 SPECIAL CATEGORIES		
GRANTS AND AIDS - REGIONAL PLANNING COUNCILS		
FROM GENERAL REVENUE FUND	2,500,000	

Funds in Specific Appropriation 1563 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.

1564 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	8,751	
1565 SPECIAL CATEGORIES		
GRANTS AND AIDS - COASTAL MANAGEMENT REQUIREMENTS		
FROM GRANTS AND DONATIONS TRUST FUND		75,000
1566 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,886	
1566A SPECIAL CATEGORIES		
GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE		
FROM GRANTS AND DONATIONS TRUST FUND		206,074
TOTAL: COMMUNITY PLANNING		
FROM GENERAL REVENUE FUND	6,813,884	
FROM TRUST FUNDS		910,388
TOTAL POSITIONS	61.00	
TOTAL ALL FUNDS		7,724,272

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY MANAGEMENT

The Division of Emergency Management shall submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development.

From the funds in Specific Appropriations 1567 through 1617, the Division of Emergency Management shall execute a service level agreement by September 1, 2010, to specify the services and levels of services it is to receive from Southwood Shared Resource Center (SSRC) pursuant to section 282.203(1)(g), Florida Statutes. If the division is unable to complete and execute a service level agreement by that date, the division shall submit a report to the Executive Office of the Governor and to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development within five working days, explaining the specific issues preventing execution and describing the division's plan and schedule for resolving those issues.

APPROVED SALARY RATE 5,687,154

1567 SALARIES AND BENEFITS POSITIONS	136.00	
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		2,106,150
FROM GRANTS AND DONATIONS TRUST FUND		1,344,787
FROM OPERATING TRUST FUND		746,866
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND		2,184,720
FROM U.S. CONTRIBUTIONS TRUST FUND .		1,296,644
1568 OTHER PERSONAL SERVICES		
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		374,254
FROM GRANTS AND DONATIONS TRUST FUND		175,883
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND		527,634
1569 EXPENSES		
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		791,158
FROM GRANTS AND DONATIONS TRUST FUND		971,092
FROM OPERATING TRUST FUND		212,544
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND		765,065
FROM U.S. CONTRIBUTIONS TRUST FUND .		923,347
1570 AID TO LOCAL GOVERNMENTS		
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION		
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND		2,389,944
1571 OPERATING CAPITAL OUTLAY		
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		46,070
FROM GRANTS AND DONATIONS TRUST FUND		132,300
FROM OPERATING TRUST FUND		14,650
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND		50,940
1572 LUMP SUM		
EMERGENCY MANAGEMENT PERFORMANCE GRANT		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 7,374,231

Funds in Specific Appropriation 1572 are provided for the Emergency Management Performance Grants funded by the United States Department of Homeland Security. The Division of Emergency Management shall submit the Emergency Management Performance Grant Work Plan to the Executive Office of the Governor, the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development for review prior to submission to the Federal Emergency Management Agency (FEMA). Upon approval of the work plan by FEMA, the Division of Emergency Management may submit a budget amendment for the release of the lump sum appropriation pursuant to chapter 216, Florida Statutes.

From the funds in Specific Appropriation 1572, $250,000 shall be used for a statewide public education program on television and radio to promote hurricane preparedness. Such funds shall be provided to a not-for-profit corporation, and must be matched on a 3 to 1 basis.

1573A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 180,000

1574 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT FLORIDA WING/
CIVIL AIR PATROL
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 49,500

1575 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 31,481
FROM GRANTS AND DONATIONS TRUST
FUND 3,143,751
FROM OPERATING TRUST FUND 10,090
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 114,768
FROM U.S. CONTRIBUTIONS TRUST FUND . 40,458

1576 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST
FUND 531,640
FROM U.S. CONTRIBUTIONS TRUST FUND . 5,316,408

1577 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST
FUND 618,267
FROM U.S. CONTRIBUTIONS TRUST FUND . 1,854,802

1578 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
PASS THROUGH
FROM GRANTS AND DONATIONS TRUST
FUND 5,838,686
FROM U.S. CONTRIBUTIONS TRUST FUND . 90,398,947

1579 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 43,992,766

Funds in Specific Appropriations 1579, 1585, 1587, and 1589 are provided for local mitigation projects that are included in local mitigation strategy plans and have been approved by the Federal Emergency Management Agency for federal mitigation funding.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
1580 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 25,000

1581 SPECIAL CATEGORIES
HAZARD MITIGATION - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 75,530

1582 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST
FUND 913,291
FROM U.S. CONTRIBUTIONS TRUST FUND . 2,739,872

Funds in Specific Appropriation 1582 from the Grants and Donations Trust Fund are provided to meet the state's portion of the match requirements for federally declared disasters that occurred prior to calendar year 2004. Funds shall be utilized for Public Assistance and Hazard Mitigation programs as specified in section 252.37, Florida Statutes.

1583 SPECIAL CATEGORIES
HAZARD MITIGATION - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 2,926,735

1584 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST
FUND 245,367
FROM U.S. CONTRIBUTIONS TRUST FUND . 736,102

1585 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 48,777,634

1586 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST
FUND 33,521
FROM U.S. CONTRIBUTIONS TRUST FUND . 100,564

1587 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER MAJOR DISASTERS - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 1,062,898

1588 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 HURRICANES
AND STORMS - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 394,090

1589 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 HURRICANES
AND STORMS - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 1,969,358

1590 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT
PROGRAMS
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 7,389,061

1591 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE DOMESTIC
PREPAREDNESS PROGRAM
FROM GRANTS AND DONATIONS TRUST
FUND 337,697

1592 SPECIAL CATEGORIES
GRANTS AND AID - REPETITIVE FLOOD CLAIMS

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 1,780,723

1593 SPECIAL CATEGORIES
GRANTS AND AIDS - SEVERE REPETITIVE LOSS
PILOT PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 3,902,632

1594 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 30,786
FROM GRANTS AND DONATIONS TRUST
FUND 45,456
FROM OPERATING TRUST FUND 8,899
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 35,080
FROM U.S. CONTRIBUTIONS TRUST FUND . 190,700

1595 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 300,000

1596A SPECIAL CATEGORIES
STATEWIDE HURRICANE PREPAREDNESS AND
PLANNING
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 1,641,369
FROM GRANTS AND DONATIONS TRUST
FUND 84,952
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 352,955

1597 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 3,770,000

Funds in Specific Appropriation 1597 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

1598 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION
FROM GRANTS AND DONATIONS TRUST
FUND 6,892,389

Funds in Specific Appropriation 1567 in the amount of $66,414; Specific Appropriation 1569 in the amount of $16,908; Specific Appropriation 1600 in the amount of $399; Specific Appropriation 1575 in the amount of $689; Specific Appropriation 1571 in the amount of $1,000; Specific Appropriation 1594 in the amount of $717; Specific Appropriation 1598 in the amount of $6,892,389, and indirect costs of $21,484 funded 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; and after the provisions of section 215.559(3)(a) and (4), Florida Statutes, $925,000 shall fund the Building Code Compliance and Mitigation Program pursuant to section 553.841, Florida Statutes. The moneys allocated in section 215.559(3)(a), Florida Statutes, shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(3)(a), Florida Statutes.

1599 SPECIAL CATEGORIES
FLOOD MITIGATION ASSISTANCE PROGRAM

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 1,819,775

1600 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT
PREPAREDNESS AND ASSISTANCE TRUST
FUND 15,674
FROM GRANTS AND DONATIONS TRUST
FUND 13,160
FROM OPERATING TRUST FUND 5,846
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 16,641
FROM U.S. CONTRIBUTIONS TRUST FUND . 28,489

1601 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER
ACTIVITIES
FROM GRANTS AND DONATIONS TRUST
FUND 70,000

1602 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING
PROGRAM
FROM OPERATING TRUST FUND 966,597

1603 SPECIAL CATEGORIES
HAZARDOUS MATERIALS EMERGENCY PLANNING
GRANT
FROM GRANTS AND DONATIONS TRUST
FUND 686,996

1604 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 SEVERE
WEATHER AND FLOODING - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 154,442

1605 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2008-09 SEVERE
WEATHER AND FLOODING - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND . 3,271,239

1606 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE
OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 5,293,816

1607 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS
THROUGH OF STATE AND FEDERAL FUNDS TO
LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST
FUND 15,619
FROM U.S. CONTRIBUTIONS TRUST FUND . 121,324,364

1608 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 SEVERE WEATHER
AND FLOODING - STATE OPERATIONS
FROM U.S. CONTRIBUTIONS TRUST FUND . 95,073

1609 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 SEVERE WEATHER
AND FLOODING - PASS THROUGH OF STATE AND
FEDERAL FUNDS TO LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST
FUND 1,942,146
FROM U.S. CONTRIBUTIONS TRUST FUND . 10,811,065

1610 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 -
HAZARDOUS WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FUND	2,746
FROM U.S. CONTRIBUTIONS TRUST FUND .	27,458

1611 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 - HAZARDOUS WEATHER - PASS THROUGH

FROM GRANTS AND DONATIONS TRUST FUND	686,448
FROM U.S. CONTRIBUTIONS TRUST FUND .	3,705,027

1612 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 HURRICANES - STATE OPERATIONS

FROM U.S. CONTRIBUTIONS TRUST FUND .	253,404

1613 SPECIAL CATEGORIES
GRANTS AND AIDS - 2008-09 HURRICANES - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS

FROM GRANTS AND DONATIONS TRUST FUND	6,952,520
FROM U.S. CONTRIBUTIONS TRUST FUND .	38,501,768

1613A SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2009 - FLORIDA WILDFIRES - PASS THROUGH

FROM GRANTS AND DONATIONS TRUST FUND	136,643
FROM U.S. CONTRIBUTIONS TRUST FUND .	409,930

1614 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	103,430

1615 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	516,570

1615A SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL EMERGENCY MANAGEMENT NEEDS

FROM GRANTS AND DONATIONS TRUST FUND	750,000

Funds in Specific Appropriation 1615A are provided to the Regional Hurricane Shelter/Community Health Center, Pasco County, for operational services of the health clinic.

1616 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER

FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND	102,867

1617 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS

FROM GENERAL REVENUE FUND	150,000	
FROM GRANTS AND DONATIONS TRUST FUND		2,250,000

Funds in Specific Appropriation 1617 and 1615A from the Grants and Donations Trust Fund reflect the transfer of $3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

From the funds in Specific Appropriation 1617, $500,000 from the Grants and Donations Trust Fund is provided for the Brandon Community Hurricane Shelter/Advantage Center.

From the funds in Specific Appropriation 1617, $150,000 in nonrecurring general revenue shall be used to provide emergency generators for the Town of Golden Beach.

TOTAL: EMERGENCY MANAGEMENT		
FROM GENERAL REVENUE FUND	150,000	
FROM TRUST FUNDS		462,242,257
TOTAL POSITIONS	136.00	
TOTAL ALL FUNDS		462,392,257

PROGRAM: HOUSING AND COMMUNITY DEVELOPMENT

AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT

APPROVED SALARY RATE 1,563,998

1618 SALARIES AND BENEFITS	POSITIONS	35.00	
FROM GENERAL REVENUE FUND		516,878	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND			1,266,291
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND			95,308
FROM ENERGY CONSUMPTION TRUST FUND .			23,462
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND			46,371
FROM OPERATING TRUST FUND			152,893
1619 OTHER PERSONAL SERVICES			
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND			443,206
1620 EXPENSES			
FROM GENERAL REVENUE FUND		74,263	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND			460,544
FROM OPERATING TRUST FUND			26,220
1621 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		960	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND			2,000
1622 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		480	
FROM OPERATING TRUST FUND			480
1623 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		2,527	
1623A SPECIAL CATEGORIES			
FRONT PORCH FLORIDA			
FROM GRANTS AND DONATIONS TRUST FUND			500,000

Funds in Specific Appropriation 1623A are provided for the Youth Empowerment and Leadership Development Academy (YELDA), a Front Porch Florida Initiative. These funds are contingent upon the execution of a contractual agreement between the Department of Community Affairs and the Agency for Workforce Innovation. The program is to be funded with funds transferred from the Agency for Workforce Innovation.

1624 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,123
FROM FLORIDA SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM FUND 6,942
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 641
FROM ENERGY CONSUMPTION TRUST FUND . 158
FROM LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 312
FROM OPERATING TRUST FUND 1,029

1625 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 33,000,000

1627 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HOUSING AND URBAN DEVELOPMENT DISASTER
GRANTS
FROM FLORIDA SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM FUND 63,606,850

TOTAL: AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT
FROM GENERAL REVENUE FUND 600,231
FROM TRUST FUNDS 99,632,707

TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 100,232,938

BUILDING CODE COMPLIANCE AND HAZARD MITIGATION

APPROVED SALARY RATE 691,482

1628 SALARIES AND BENEFITS POSITIONS 15.00
FROM OPERATING TRUST FUND 958,700

1629 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST
FUND 893,600
FROM OPERATING TRUST FUND 1,183,413

1630 EXPENSES
FROM OPERATING TRUST FUND 325,568

1631 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 1,920

1632 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH
FROM OPERATING TRUST FUND 282,637

In the event that the Building Permit Surcharge revenue collections are insufficient to fund the level of appropriation in Specific Appropriation 1632, this transfer shall be reduced to reflect the amount actually collected.

1633 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 11,678

1634 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 31,821

1635 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 7,137

TOTAL: BUILDING CODE COMPLIANCE AND HAZARD MITIGATION
FROM TRUST FUNDS 3,696,474

TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 3,696,474

PUBLIC SERVICE AND ENERGY INITIATIVES

APPROVED SALARY RATE 754,572

1637 SALARIES AND BENEFITS POSITIONS 18.00
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 442,484
FROM ENERGY CONSUMPTION TRUST FUND . 501,570
FROM LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 201,621

1638 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

1639 EXPENSES
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 163,611
FROM ENERGY CONSUMPTION TRUST FUND . 70,000
FROM LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 99,582

1640 OPERATING CAPITAL OUTLAY
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 1,550
FROM LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 1,000

1641 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK
GRANTS
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 17,876,599

1642 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 124,264,000

1643 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENERGY CONSUMPTION TRUST FUND . 500

1644 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 1,890

1645 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNITY SERVICES BLOCK
GRANT TRUST FUND 2,678
FROM ENERGY CONSUMPTION TRUST FUND . 3,459
FROM LOW INCOME HOME ENERGY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
ASSISTANCE PROGRAM BLOCK GRANT
TRUST FUND 1,219

1645A SPECIAL CATEGORIES
CIVIL LEGAL ASSISTANCE
FROM GENERAL REVENUE FUND 1,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 1,000,000

From the funds in Specific Appropriation 1645A, $1,000,000 in the Grants and Donations Trust Fund reflects a transfer from the Mediation and Arbitration Trust Fund in Specific Appropriation 3245A to provide foreclosure prevention assistance to Florida homeowners.

1646 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION GRANTS
FROM GRANTS AND DONATIONS TRUST
FUND 9,700,000

TOTAL: PUBLIC SERVICE AND ENERGY INITIATIVES
FROM GENERAL REVENUE FUND 1,000,000
FROM TRUST FUNDS 154,716,421

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 155,716,421

PROGRAM: FLORIDA HOUSING FINANCE CORPORATION

AFFORDABLE HOUSING FINANCING

1647 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE
CORPORATION (HFC) - AFFORDABLE HOUSING
PROGRAMS
FROM STATE HOUSING TRUST FUND . . . 37,500,000

Funds provided in Specific Appropriation 1647, shall be used for the Homeowner Downpayment Assistance Program to provide down payment and closing cost assistance in conjunction with the First Time Homebuyer Program.

TOTAL: COMMUNITY AFFAIRS, DEPARTMENT OF
FROM GENERAL REVENUE FUND 9,824,064
FROM TRUST FUNDS 769,852,289

TOTAL POSITIONS 358.00
TOTAL ALL FUNDS 779,676,353
TOTAL APPROVED SALARY RATE 15,852,187

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 14,664,769

1650 SALARIES AND BENEFITS POSITIONS 290.00
FROM GENERAL REVENUE FUND 1,380,006
FROM ADMINISTRATIVE TRUST FUND . . . 17,183,288
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 71,712
FROM INLAND PROTECTION TRUST FUND . 210,028
FROM FEDERAL GRANTS TRUST FUND . . . 713,486
FROM INTERNAL IMPROVEMENT TRUST
FUND 383,269

1651 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 570,015
FROM FEDERAL GRANTS TRUST FUND . . . 381,879
FROM GRANTS AND DONATIONS TRUST
FUND 7,000
FROM INTERNAL IMPROVEMENT TRUST

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FUND 523,332
FROM LAND ACQUISITION TRUST FUND . . 250,000

From the funds in Specific Appropriation 1651, $250,000 in nonrecurring funds from the Land Acquisition Trust Fund is provided for the department, working in cooperation with the Florida Fish and Wildlife Conservation Commission, to develop a GIS web mapping tool based on existing data to aid the State of Florida in Marine Spatial Planning.

1652 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 3,213,602
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 28,809
FROM INLAND PROTECTION TRUST FUND . 37,781
FROM FEDERAL GRANTS TRUST FUND . . . 902,783
FROM GRANTS AND DONATIONS TRUST
FUND 500
FROM INTERNAL IMPROVEMENT TRUST
FUND 4,980

1653 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 16,275
FROM FEDERAL GRANTS TRUST FUND . . . 1,399

1654 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 586,511

1655 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM PROGRAM
FROM ADMINISTRATIVE TRUST FUND . . . 22,906

1656 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 184,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 2,859,188

1657 SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 4,066

1658 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 72,201

1659 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 9,910

1660 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 107,407

1661 SPECIAL CATEGORIES
PETROLEUM CLEANUP AUDITS
FROM INLAND PROTECTION TRUST FUND . 220,196

1662 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 21,377
FROM ADMINISTRATIVE TRUST FUND . . . 107,848
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 460
FROM INLAND PROTECTION TRUST FUND . 948
FROM FEDERAL GRANTS TRUST FUND . . . 4,573

1663 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 2,200,000

1664 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CLEAN MARINA
FROM FEDERAL GRANTS TRUST FUND . . . 1,800,000
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 1,401,383
FROM TRUST FUNDS 32,980,352

TOTAL POSITIONS 290.00
TOTAL ALL FUNDS 34,381,735

FLORIDA GEOLOGICAL SURVEY

APPROVED SALARY RATE 1,286,708

1665 SALARIES AND BENEFITS POSITIONS 28.50
FROM MINERALS TRUST FUND 1,375,128
FROM WATER QUALITY ASSURANCE TRUST
FUND 405,656

1666 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 166,082
FROM GRANTS AND DONATIONS TRUST
FUND 176,147
FROM WATER QUALITY ASSURANCE TRUST
FUND 22,208

1667 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 57,264
FROM GRANTS AND DONATIONS TRUST
FUND 110,905
FROM WATER QUALITY ASSURANCE TRUST
FUND 300,442

1668 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 18,115
FROM GRANTS AND DONATIONS TRUST
FUND 46,000
FROM MINERALS TRUST FUND 48,868
FROM WATER QUALITY ASSURANCE TRUST
FUND 19,838

1669 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 131,724
FROM GRANTS AND DONATIONS TRUST
FUND 128,077
FROM MINERALS TRUST FUND 5,700
FROM WATER QUALITY ASSURANCE TRUST
FUND 80,000

1670 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MINERALS TRUST FUND 4,149

1671 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM MINERALS TRUST FUND 12,540
FROM WATER QUALITY ASSURANCE TRUST
FUND 1,076

TOTAL: FLORIDA GEOLOGICAL SURVEY
FROM TRUST FUNDS 3,109,919

TOTAL POSITIONS 28.50

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS 3,109,919

TECHNOLOGY AND INFORMATION SERVICES

APPROVED SALARY RATE 3,672,122

1672 SALARIES AND BENEFITS POSITIONS 81.00
FROM WORKING CAPITAL TRUST FUND . . 4,933,525

1673 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 738,340

1674 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 2,003,641

1675 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 20,625

1676 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . 1,200,000

1677 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 7,216

1678 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND . . 37,449

1679 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND . . 2,165,655

TOTAL: TECHNOLOGY AND INFORMATION SERVICES
FROM TRUST FUNDS 11,106,451

TOTAL POSITIONS 81.00
TOTAL ALL FUNDS 11,106,451

PROGRAM: STATE LANDS

LAND ADMINISTRATION

APPROVED SALARY RATE 2,016,205

1680 SALARIES AND BENEFITS POSITIONS 44.00
FROM INTERNAL IMPROVEMENT TRUST
FUND 2,558,293
FROM LAND ACQUISITION TRUST FUND . . 219,975
FROM WATER MANAGEMENT LANDS TRUST
FUND 61,200

1681 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 70,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 300,000

1682 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 109,278
FROM INTERNAL IMPROVEMENT TRUST
FUND 492,833
FROM LAND ACQUISITION TRUST FUND . . 18,394
FROM WATER MANAGEMENT LANDS TRUST
FUND 6,648

1683 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 69,994

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1684 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 222,947

1685 SPECIAL CATEGORIES
PAYMENT IN LIEU OF TAXES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 1,360,000

1686 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INTERNAL IMPROVEMENT TRUST
FUND 20,071
FROM LAND ACQUISITION TRUST FUND . . 1,597
FROM WATER MANAGEMENT LANDS TRUST
FUND 446

1686A SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM WATER MANAGEMENT LANDS TRUST
FUND 10,000,000

1686B SPECIAL CATEGORIES
TRANSFER TO FLORIDA FOREVER TRUST FUND
FROM LAND ACQUISITION TRUST FUND . . 8,000,000
FROM WATER MANAGEMENT LANDS TRUST
FUND 7,000,000

1689 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND . . 428,587,935

Funds provided in Specific Appropriation 1689 are for Fiscal Year 2010-11 debt service on bonds. 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.

1690 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM SAVE OUR EVERGLADES TRUST
FUND 19,340,350

Funds provided in Specific Appropriation 1690 are for Fiscal Year 2010-11 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.

1692 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND
ACQUISITION
FROM FLORIDA FOREVER TRUST FUND . . 4,500,000
FROM WATER MANAGEMENT LANDS TRUST
FUND 18,300,000

1693 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM SAVE OUR EVERGLADES TRUST
FUND 10,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

Funds in Specific Appropriation 1693 are provided for the design, engineering, and construction of the Comprehensive Everglades Restoration Plan, Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan Components, and for the acquisition of lands for projects included in the plans.

From the funds in Specific Appropriation 1693, $1,000,000 is provided to the Department of Agriculture and Consumer Services for implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

TOTAL: LAND ADMINISTRATION
FROM TRUST FUNDS 511,239,961

TOTAL POSITIONS 44.00
TOTAL ALL FUNDS 511,239,961

LAND MANAGEMENT

APPROVED SALARY RATE 4,316,117

1694 SALARIES AND BENEFITS POSITIONS 100.00
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 855,157
FROM INTERNAL IMPROVEMENT TRUST
FUND 4,997,389

1695 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 439,680
FROM GRANTS AND DONATIONS TRUST
FUND 574,024
FROM INTERNAL IMPROVEMENT TRUST
FUND 185,000

1696 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 139,844
FROM GRANTS AND DONATIONS TRUST
FUND 494,788
FROM INTERNAL IMPROVEMENT TRUST
FUND 791,396

1697 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST
FUND 150,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 42,941

1698 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE
PLANT INDUSTRY TRUST FUND
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 240,000

1699 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 20,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 264,020

1700 SPECIAL CATEGORIES
STATE LANDS STEWARDSHIP
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 250,000
FROM INTERNAL IMPROVEMENT TRUST
FUND 200,000

1701 SPECIAL CATEGORIES
NATIONAL OCEAN SURVEY
FROM INTERNAL IMPROVEMENT TRUST
FUND 84,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1702 SPECIAL CATEGORIES
RICO ACT- DISTRIBUTION OF PROCEEDS FROM
PROPERTY SALES
FROM INTERNAL IMPROVEMENT TRUST
FUND 350,000

1703 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INTERNAL IMPROVEMENT TRUST
FUND 115,826

1705 SPECIAL CATEGORIES
TRANSFER - DIVISION OF FORESTRY INCIDENTAL
TRUST FUND
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 14,678,468

1706 SPECIAL CATEGORIES
TRANSFER TO FISH AND WILDLIFE CONSERVATION
COMMISSION FOR MANAGEMENT OF CARL LANDS
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 12,362,672

1707 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF STATE FOR GRANTS
AND DONATIONS TRUST FUND
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 4,910,483

1708 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 6,428
FROM INTERNAL IMPROVEMENT TRUST
FUND 37,719

TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS 42,189,835

TOTAL POSITIONS 100.00
TOTAL ALL FUNDS 42,189,835

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 18,922,915

1709 SALARIES AND BENEFITS POSITIONS 459.00
FROM GENERAL REVENUE FUND 9,979,514
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 2,939,376
FROM FEDERAL GRANTS TRUST FUND . . . 842,894
FROM INTERNAL IMPROVEMENT TRUST
FUND 1,000,000
FROM LAND ACQUISITION TRUST FUND . . 5,327,517
FROM PERMIT FEE TRUST FUND 5,818,056

1710 OTHER PERSONAL SERVICES
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 294,303

1711 EXPENSES
FROM GENERAL REVENUE FUND 152,112
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 1,633,735
FROM FEDERAL GRANTS TRUST FUND . . . 36,826
FROM LAND ACQUISITION TRUST FUND . . 217,399
FROM PERMIT FEE TRUST FUND 354,937

1712 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND . . . 2,621,399
FROM GRANTS AND DONATIONS TRUST
FUND 320,673

1713 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,225
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 6,750
FROM FEDERAL GRANTS TRUST FUND . . . 30
FROM LAND ACQUISITION TRUST FUND . . 1,100
FROM PERMIT FEE TRUST FUND 5,370

1714 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 44,296
FROM FEDERAL GRANTS TRUST FUND . . . 3,045
FROM PERMIT FEE TRUST FUND 8,766

1715 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 101,080
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 27,644
FROM FEDERAL GRANTS TRUST FUND . . . 5,201
FROM LAND ACQUISITION TRUST FUND . . 9,458
FROM PERMIT FEE TRUST FUND 43,340

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 10,240,931
FROM TRUST FUNDS 21,562,115

TOTAL POSITIONS 459.00
TOTAL ALL FUNDS 31,803,046

AIR ASSESSMENT

APPROVED SALARY RATE 696,191

1716 SALARIES AND BENEFITS POSITIONS 16.00
FROM AIR POLLUTION CONTROL TRUST
FUND 895,162
FROM GRANTS AND DONATIONS TRUST
FUND 101,965

1717 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 28,445

1718 EXPENSES
FROM AIR POLLUTION CONTROL TRUST
FUND 86,341

1719 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST
FUND 9,572

1720 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 5,300

1721 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST
FUND 5,811
FROM GRANTS AND DONATIONS TRUST
FUND 1,110

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 1,133,706

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 1,133,706

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 3,566,792

1722 SALARIES AND BENEFITS POSITIONS 79.00
FROM AIR POLLUTION CONTROL TRUST
FUND 4,663,868

1723 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 174,156

1724 EXPENSES
FROM AIR POLLUTION CONTROL TRUST
FUND 525,863

1725 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST
FUND 88,735

1726 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 9,750

1727 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST
FUND 19,860

1728 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST
FUND 32,607

TOTAL: AIR POLLUTION PREVENTION
FROM TRUST FUNDS 5,514,839

TOTAL POSITIONS 79.00
TOTAL ALL FUNDS 5,514,839

WASTE CONTROL

APPROVED SALARY RATE 6,918,920

1729 SALARIES AND BENEFITS POSITIONS 162.00
FROM INLAND PROTECTION TRUST FUND . 2,678,782
FROM FEDERAL GRANTS TRUST FUND . . . 1,241,812
FROM PERMIT FEE TRUST FUND 677,828
FROM SOLID WASTE MANAGEMENT TRUST
FUND 1,602,340
FROM WATER QUALITY ASSURANCE TRUST
FUND 3,144,766

1730 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND . 110,000

1731 EXPENSES
FROM INLAND PROTECTION TRUST FUND . 591,982
FROM FEDERAL GRANTS TRUST FUND . . . 109,016
FROM PERMIT FEE TRUST FUND 40,204
FROM SOLID WASTE MANAGEMENT TRUST
FUND 149,759
FROM WATER QUALITY ASSURANCE TRUST
FUND 314,784

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
1732 OPERATING CAPITAL OUTLAY
FROM SOLID WASTE MANAGEMENT TRUST
FUND 60,919

1733 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 1,860
FROM FEDERAL GRANTS TRUST FUND . . . 550
FROM SOLID WASTE MANAGEMENT TRUST
FUND 6,550
FROM WATER QUALITY ASSURANCE TRUST
FUND 16,145

1734 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST
FUND 120,594

1735 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 122,257
FROM FEDERAL GRANTS TRUST FUND . . . 5,757
FROM SOLID WASTE MANAGEMENT TRUST
FUND 9,056

1736 SPECIAL CATEGORIES
RESEARCH, DEVELOPMENT AND TECHNICAL
ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST
FUND 14,000

1737 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND . 18,904
FROM FEDERAL GRANTS TRUST FUND . . . 8,763
FROM PERMIT FEE TRUST FUND 5,316
FROM SOLID WASTE MANAGEMENT TRUST
FUND 11,307
FROM WATER QUALITY ASSURANCE TRUST
FUND 22,192

TOTAL: WASTE CONTROL
FROM TRUST FUNDS 11,085,443

TOTAL POSITIONS 162.00
TOTAL ALL FUNDS 11,085,443

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,224,701

1738 SALARIES AND BENEFITS POSITIONS 88.00
FROM GENERAL REVENUE FUND 990,984
FROM ADMINISTRATIVE TRUST FUND . . . 3,317,431
FROM AIR POLLUTION CONTROL TRUST
FUND 911,242
FROM SOLID WASTE MANAGEMENT TRUST
FUND 309,033

1739 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 127,564
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 18,621

1740 EXPENSES
FROM GENERAL REVENUE FUND 945,116
FROM ADMINISTRATIVE TRUST FUND . . . 720,601
FROM AIR POLLUTION CONTROL TRUST
FUND 286,560
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 21,337
FROM LAND ACQUISITION TRUST FUND . . 27,923

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM SOLID WASTE MANAGEMENT TRUST FUND 58,316

1741 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,451

1742 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 44,795
FROM ADMINISTRATIVE TRUST FUND . . . 90,085
FROM AIR POLLUTION CONTROL TRUST FUND 8,894

1743 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 82,579
FROM ADMINISTRATIVE TRUST FUND . . . 59,709

1744 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 16,931
FROM ADMINISTRATIVE TRUST FUND . . . 12,193
FROM AIR POLLUTION CONTROL TRUST FUND 6,777
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,086

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,080,405
FROM TRUST FUNDS 5,981,823

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 8,062,228

WASTE CLEANUP

APPROVED SALARY RATE 44,750

1745 SALARIES AND BENEFITS POSITIONS 1.00
FROM WATER QUALITY ASSURANCE TRUST FUND 104,498

1746 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 69,941

1747 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 174,840

TOTAL POSITIONS 1.00
TOTAL ALL FUNDS 174,840

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

APPROVED SALARY RATE 8,032,044

1748 SALARIES AND BENEFITS POSITIONS 181.00
FROM GENERAL REVENUE FUND 1,514,194
FROM ENVIRONMENTAL LABORATORY TRUST FUND 4,724,706
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 384,582

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND . . . 1,930,152
FROM LAND ACQUISITION TRUST FUND . . 65,590
FROM PERMIT FEE TRUST FUND 53,825
FROM WATER QUALITY ASSURANCE TRUST FUND 2,260,849

1749 OTHER PERSONAL SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND 185,969
FROM FEDERAL GRANTS TRUST FUND . . . 60,039
FROM LAND ACQUISITION TRUST FUND . . 514,271
FROM WATER QUALITY ASSURANCE TRUST FUND 70,950

1750 EXPENSES
FROM GENERAL REVENUE FUND 32,201
FROM ENVIRONMENTAL LABORATORY TRUST FUND 1,378,497
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 164,960
FROM FEDERAL GRANTS TRUST FUND . . . 11,339
FROM PERMIT FEE TRUST FUND 96,923
FROM WATER QUALITY ASSURANCE TRUST FUND 272,602

1751 OPERATING CAPITAL OUTLAY
FROM ENVIRONMENTAL LABORATORY TRUST FUND 198,800
FROM FEDERAL GRANTS TRUST FUND . . . 13,002

1752 SPECIAL CATEGORIES
GROUND WATER QUALITY MONITORING NETWORK
FROM ENVIRONMENTAL LABORATORY TRUST FUND 125,000
FROM WATER QUALITY ASSURANCE TRUST FUND 1,798,745

1753 SPECIAL CATEGORIES
WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND 176,425

1754 SPECIAL CATEGORIES
EVERGLADES LAB SUPPORT
FROM ENVIRONMENTAL LABORATORY TRUST FUND 469,471

1755 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 2,320,000

1756 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 250,000

1757 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND 436,559
FROM FEDERAL GRANTS TRUST FUND . . . 50,000

1758 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM ENVIRONMENTAL LABORATORY TRUST FUND 312,710

1759 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 50,931

1760 SPECIAL CATEGORIES
U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND . . .		78,500
FROM WATER QUALITY ASSURANCE TRUST FUND		214,897
1761 SPECIAL CATEGORIES		
TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH		
FROM INTERNAL IMPROVEMENT TRUST FUND		275,000
1762 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	10,023	
FROM ENVIRONMENTAL LABORATORY TRUST FUND		36,995
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		2,979
FROM FEDERAL GRANTS TRUST FUND . . .		18,614
FROM LAND ACQUISITION TRUST FUND . .		1,769
FROM PERMIT FEE TRUST FUND		401
FROM WATER QUALITY ASSURANCE TRUST FUND		14,910
1763 FIXED CAPITAL OUTLAY		
TOTAL MAXIMUM DAILY LOADS		
FROM LAND ACQUISITION TRUST FUND . .		6,250,000

From the funds in Specific Appropriation 1763, the department shall, by October 31, 2010, expend the funds necessary to propose for adoption by rule, pursuant to section 120.54, new designated use classifications or sub-classifications for waters, including manmade lakes; canals or ditches; or streams converted to canals before 1975, that will recognize the limited aquatic life support and habitat limitations of these waters based upon their physical and hydrologic characteristics and water management uses for which they were constructed or modified.

1764 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		
FROM FEDERAL GRANTS TRUST FUND . . .		10,000,000
FROM WATER QUALITY ASSURANCE TRUST FUND		2,410,000
1764A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
TOTAL MAXIMUM DAILY LOADS (TMDL) SENSOR-BASED SYSTEMS		
FROM GENERAL REVENUE FUND	3,500,000	
FROM LAND ACQUISITION TRUST FUND . .		500,000

Of the funds in Specific Appropriation 1764A, $3,500,000 in nonrecurring funds from the General Revenue Fund and $500,000 from nonrecurring funds from the Land Acquisition Trust Fund are provided for the Florida Water Quality Compliance and Improvement Project to deploy real-time radio frequency sensor-based systems in representative urban areas to assess the effectiveness of different stormwater management systems and management regimes in treating and minimizing nutrient loss of nitrogen and phosphorous due to leaching and runoff. This project will include installing remote sensor systems in different urban locations and measuring urban stormwater management systems performance. The field data will be used to augment weather, hydrologic, water quality information, and watershed models for the development of improved urban stormwater systems and best management practices for reduction of nutrient runoff and leaching.

TOTAL: WATER SCIENCE AND LABORATORY SERVICES		
FROM GENERAL REVENUE FUND	5,056,418	
FROM TRUST FUNDS		38,180,962
TOTAL POSITIONS	181.00	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS		43,237,380

PROGRAM: WATER RESOURCE MANAGEMENT

BEACH MANAGEMENT

APPROVED SALARY RATE 3,172,803

1765 SALARIES AND BENEFITS	POSITIONS	72.00	
FROM GENERAL REVENUE FUND		223,984	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND			3,344,077
FROM PERMIT FEE TRUST FUND			677,665
1766 OTHER PERSONAL SERVICES			
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND			302,857
1767 EXPENSES			
FROM GENERAL REVENUE FUND		77,684	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND			329,875
FROM PERMIT FEE TRUST FUND			307,101
1768 OPERATING CAPITAL OUTLAY			
FROM PERMIT FEE TRUST FUND			4,597
1769 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			25,834
FROM PERMIT FEE TRUST FUND			3,045
1769A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
BEACH PROJECTS - STATEWIDE			
FROM GENERAL REVENUE FUND		10,536,535	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND			5,000,000

Funds in Specific Appropriation 1769A, as part of the Department of Environmental Protection's Beach Management Funding Assistance Program, shall be allocated in priority order in the amounts requested by the department to the Miami-Dade Beach Nourishment Project, St. Lucie Inlet Management Plan Implementation, Duval Shore Protection Project, Anna Maria Island Nourishment, Sand Key Nourishment, Broward County Nourishment - Segment II, and the Long Key Nourishment projects. These projects represent the maximum availability and leveraging of federal beach funding, and/or previous partial state funding commitment to the project, including Fiscal Year 2009-2010.

In order to provide maximum availability of funds for all listed projects, the department and each local sponsor are directed to identify any and all agreed upon reductions in the state funding share that can be absorbed without jeopardizing available federal dollars or delaying project construction.

Funds in Specific Appropriation 1769A shall not be allocated for post-construction monitoring. State matching dollars for such monitoring may be considered as a local government cost credit toward future design and construction activities for any of the local government sponsor's beach projects. In addition, the department, in conjunction with the Fish and Wildlife Conservation Commission, shall examine all permit-imposed post-construction monitoring requirements and existing protocols in terms of cost-savings, necessity, redundancies and efficiencies; and report back to the Legislature by February 1, 2011.

TOTAL: BEACH MANAGEMENT		
FROM GENERAL REVENUE FUND	10,841,347	
FROM TRUST FUNDS		9,995,051

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	72.00	
TOTAL ALL FUNDS		20,836,398

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 10,257,957

1770	SALARIES AND BENEFITS POSITIONS 217.50		
	FROM GENERAL REVENUE FUND	770,264	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		338,268
	FROM FEDERAL GRANTS TRUST FUND . . .		5,565,513
	FROM LAND ACQUISITION TRUST FUND . .		581,602
	FROM MINERALS TRUST FUND		2,278,387
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		1,282,749
	FROM PERMIT FEE TRUST FUND		1,636,320
	FROM WATER QUALITY ASSURANCE TRUST FUND		1,393,409
1771	OTHER PERSONAL SERVICES		
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		358,779
	FROM LAND ACQUISITION TRUST FUND . .		40,000
	FROM MINERALS TRUST FUND		84,045
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		59,938
	FROM WATER QUALITY ASSURANCE TRUST FUND		225,168
1772	EXPENSES		
	FROM LAND ACQUISITION TRUST FUND . .		97,750
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		494,233
	FROM PERMIT FEE TRUST FUND		463,870
	FROM WATER QUALITY ASSURANCE TRUST FUND		209,928
1773	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING FROM WATER MANAGEMENT LANDS TRUST FUND		453,000
1774	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE FROM WATER MANAGEMENT LANDS TRUST FUND		100,000
1775	OPERATING CAPITAL OUTLAY		
	FROM MINERALS TRUST FUND		1,132
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		40,125
1775A	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH FROM WATER QUALITY ASSURANCE TRUST FUND		2,000,000

Funds in Specific Appropriation 1775A shall be transferred to the Department of Health to continue the Florida Onsite Sewage Nitrogen Reduction Strategies Study.

1776	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .		3,260,043
1776A	SPECIAL CATEGORIES TRANSFER TO DACS GENERAL INSPECTION TF FROM DEP ECOSYSTEMS MANAGEMENT & RESTORATION TF FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		1,666,632
1777	SPECIAL CATEGORIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM FROM PERMIT FEE TRUST FUND		1,067,293
1778	SPECIAL CATEGORIES CONTRACTED SERVICES FROM MINERALS TRUST FUND		20,000
1779	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND		2,040,964
1780	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	47,108	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		11,782
	FROM MINERALS TRUST FUND		3,561
	FROM PERMIT FEE TRUST FUND		11,782
1782	SPECIAL CATEGORIES HABITAT RESTORATION FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		200,000
1783	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND .		200,000
1784	SPECIAL CATEGORIES WATER WELL CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND		1,031,061
1785	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	11,362	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		2,940
	FROM FEDERAL GRANTS TRUST FUND . . .		33,076
	FROM LAND ACQUISITION TRUST FUND . .		3,073
	FROM MINERALS TRUST FUND		16,961
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		9,764
	FROM PERMIT FEE TRUST FUND		8,687
	FROM WATER QUALITY ASSURANCE TRUST FUND		10,430
1786	SPECIAL CATEGORIES WETLANDS PROTECTION FROM FEDERAL GRANTS TRUST FUND . . .		284,459
1787	FIXED CAPITAL OUTLAY HAZARDOUS SITES CLEANUP - PHOSPHATE/ MULBERRY/PINEY POINT FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		14,680,000
1787A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - FT LAUDERDALE RIVER OAKS STORMWATER FROM GENERAL REVENUE FUND	800,000	
1788	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 4,500,000
FROM GRANTS AND DONATIONS TRUST FUND 500,000

1789 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN
FROM GENERAL REVENUE FUND 4,500,000
FROM DRINKING WATER REVOLVING LOAN TRUST FUND 88,454,969
FROM LAND ACQUISITION TRUST FUND . . 6,700,000

1790 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM GENERAL REVENUE FUND 4,500,000
FROM LAND ACQUISITION TRUST FUND . . 9,300,000
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND 157,780,534

1791 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 13,600,000

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 10,628,734
FROM TRUST FUNDS 323,102,227
TOTAL POSITIONS 217.50
TOTAL ALL FUNDS 333,730,961

WATER SUPPLY

APPROVED SALARY RATE 402,787

1793 SALARIES AND BENEFITS POSITIONS 7.00
FROM GENERAL REVENUE FUND 480,183

1794 EXPENSES
FROM GENERAL REVENUE FUND 16,898

1795 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM
FROM WATER MANAGEMENT LANDS TRUST FUND 3,040,000

1796 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NW FLORIDA WATER MANAGEMENT DISTRICT OPERATIONS
FROM WATER MANAGEMENT LANDS TRUST FUND 1,044,926

1797 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION
FROM WATER MANAGEMENT LANDS TRUST FUND 547,000

1798 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,767

TOTAL: WATER SUPPLY
FROM GENERAL REVENUE FUND 499,848
FROM TRUST FUNDS 4,631,926
TOTAL POSITIONS 7.00

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS 5,131,774

PROGRAM: WASTE MANAGEMENT

WASTE CLEANUP

APPROVED SALARY RATE 4,252,873

1799 SALARIES AND BENEFITS POSITIONS 96.00
FROM INLAND PROTECTION TRUST FUND . 3,961,965
FROM SOLID WASTE MANAGEMENT TRUST FUND 20
FROM WATER QUALITY ASSURANCE TRUST FUND 1,747,768

1800 EXPENSES
FROM INLAND PROTECTION TRUST FUND . 581,842
FROM SOLID WASTE MANAGEMENT TRUST FUND 117
FROM WATER QUALITY ASSURANCE TRUST FUND 198,562

1801 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND . 7,447
FROM WATER QUALITY ASSURANCE TRUST FUND 2,758

1802 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 2,545
FROM WATER QUALITY ASSURANCE TRUST FUND 1,200

1803 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 1,907,327

1804 SPECIAL CATEGORIES
INLAND PROTECTION FINANCING CORPORATION
FROM INLAND PROTECTION TRUST FUND . 10,303,725

Funds in Specific Appropriation 1804 are for Fiscal Year 2010-11 debt service on bonds pursuant to Specific Appropriation 1733, chapter 2009-81, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.

1805 SPECIAL CATEGORIES
DRYCLEANING CONTAMINATION CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 100,000

1806 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 21,190
FROM WATER QUALITY ASSURANCE TRUST FUND 14,246

1807 SPECIAL CATEGORIES
TRANSFER TO OTHER AGENCIES FOR IMPLEMENTATION OF HOUSE BILL 1671
FROM WATER QUALITY ASSURANCE TRUST FUND 231,092

1808 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 6,028,157

1809 SPECIAL CATEGORIES
LOCAL GOVERNMENT CLEANUP CONTRACTING
FROM INLAND PROTECTION TRUST FUND . 7,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1811 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND . 29,762
FROM WATER QUALITY ASSURANCE TRUST
FUND 12,889

1812 FIXED CAPITAL OUTLAY
DRY CLEANING SOLVENT CONTAMINATED SITE
CLEANUP
FROM WATER QUALITY ASSURANCE TRUST
FUND 4,000,000

1813 FIXED CAPITAL OUTLAY
CLEANUP OF STATE OWNED LANDS
FROM INLAND PROTECTION TRUST FUND . 1,000,000

1814 FIXED CAPITAL OUTLAY
PETROLEUM TANKS CLEANUP - PREAPPROVALS
FROM INLAND PROTECTION TRUST FUND . 120,000,000

1815 FIXED CAPITAL OUTLAY
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST
FUND 4,000,000

TOTAL: WASTE CLEANUP
FROM TRUST FUNDS 161,152,612

TOTAL POSITIONS 96.00
TOTAL ALL FUNDS 161,152,612

WASTE CONTROL

APPROVED SALARY RATE 6,291,561

1816 SALARIES AND BENEFITS POSITIONS 141.00
FROM INLAND PROTECTION TRUST FUND . 1,513,599
FROM FEDERAL GRANTS TRUST FUND . . . 2,185,367
FROM PERMIT FEE TRUST FUND 378
FROM SOLID WASTE MANAGEMENT TRUST
FUND 2,373,794
FROM WATER QUALITY ASSURANCE TRUST
FUND 2,454,746

1817 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND . 23,780
FROM FEDERAL GRANTS TRUST FUND . . . 266,193
FROM SOLID WASTE MANAGEMENT TRUST
FUND 142,552
FROM WATER QUALITY ASSURANCE TRUST
FUND 12,000

1818 EXPENSES
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 4,438
FROM INLAND PROTECTION TRUST FUND . 208,527
FROM FEDERAL GRANTS TRUST FUND . . . 636,909
FROM SOLID WASTE MANAGEMENT TRUST
FUND 381,667
FROM WATER QUALITY ASSURANCE TRUST
FUND 249,394

1819 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOUTHERN WASTE
INFORMATION EXCHANGE CLEARING HOUSE
FROM SOLID WASTE MANAGEMENT TRUST
FUND 300,000

1820 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HAZARDOUS WASTE
COLLECTION
FROM WATER QUALITY ASSURANCE TRUST

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FUND 509,994

1821 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND . 2,482
FROM SOLID WASTE MANAGEMENT TRUST
FUND 44,094
FROM WATER QUALITY ASSURANCE TRUST
FUND 8,265

1822 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND . 10,000,000

1823 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR
BIOMEDICAL WASTE REGULATION
FROM SOLID WASTE MANAGEMENT TRUST
FUND 880,000

1824 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 6,500
FROM FEDERAL GRANTS TRUST FUND . . . 4,200
FROM SOLID WASTE MANAGEMENT TRUST
FUND 2,500
FROM WATER QUALITY ASSURANCE TRUST
FUND 900

1825 SPECIAL CATEGORIES
FEDERAL WASTE PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 743,050

1826 SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM FEDERAL GRANTS TRUST FUND . . . 1,999,847

1827 SPECIAL CATEGORIES
HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND
EDUCATION
FROM SOLID WASTE MANAGEMENT TRUST
FUND 100,000

1828 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES - MOSQUITO CONTROL
PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST
FUND 1,293,368

1829 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 4,133
FROM SOLID WASTE MANAGEMENT TRUST
FUND 17,188
FROM WATER QUALITY ASSURANCE TRUST
FUND 10,736

1830 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA -
RESEARCH AND TESTING
FROM SOLID WASTE MANAGEMENT TRUST
FUND 700,000

1831 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND . 10,082
FROM FEDERAL GRANTS TRUST FUND . . . 14,647
FROM SOLID WASTE MANAGEMENT TRUST
FUND 15,124
FROM WATER QUALITY ASSURANCE TRUST
FUND 16,436

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1833 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SOLID WASTE MANAGEMENT
FROM SOLID WASTE MANAGEMENT TRUST
FUND 2,400,000

TOTAL: WASTE CONTROL
FROM TRUST FUNDS 29,536,890

TOTAL POSITIONS 141.00
TOTAL ALL FUNDS 29,536,890

PROGRAM: RECREATION AND PARKS

LAND MANAGEMENT

APPROVED SALARY RATE 1,852,317

1834 SALARIES AND BENEFITS POSITIONS 48.00
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 41,790
FROM LAND ACQUISITION TRUST FUND . . 2,462,370

1835 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 804,408

1836 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 43,689
FROM LAND ACQUISITION TRUST FUND . . 444,102

1839 SPECIAL CATEGORIES
MANAGEMENT OF WATER CONTROL STRUCTURES
FROM LAND ACQUISITION TRUST FUND . . 150,000

1840 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 15,824
FROM LAND ACQUISITION TRUST FUND . . 70,423

1841 SPECIAL CATEGORIES
GREENWAYS CARL MANAGEMENT FUNDING
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 2,179,609

1842 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 . . 23,328

1843 FIXED CAPITAL OUTLAY
ACQUISITION OF RAILROAD RIGHTS OF WAY
FROM FLORIDA FOREVER TRUST FUND . . 225,000

1843A FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND . . 225,000

1843B FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY
ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS,
STATEWIDE
FROM FLORIDA FOREVER TRUST FUND . . 5,250,000

1844 FIXED CAPITAL OUTLAY
GREENWAY RECREATIONAL IMPROVEMENTS -
INTERMODAL SURFACE TRANSPORTATION
EFFICIENCY ACT
FROM FEDERAL GRANTS TRUST FUND . . . 6,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1845 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 3,000,000

TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS 20,935,968

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 20,935,968

RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS

APPROVED SALARY RATE 282,143

1846 SALARIES AND BENEFITS POSITIONS 7.00
FROM LAND ACQUISITION TRUST FUND . . 422,904

1847 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 2,391

1848 EXPENSES
FROM LAND ACQUISITION TRUST FUND . . 34,548

1849 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF COMMUNITY
AFFAIRS - FLORIDA COMMUNITIES TRUST
FROM LAND ACQUISITION TRUST FUND . . 1,210,682

1850 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND . . 3,071

1851 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FEDERAL LAND AND WATER CONSERVATION FUND
GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 1,200,000

1852 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA RECREATION DEVELOPMENT ASSISTANCE
GRANTS
FROM FLORIDA FOREVER TRUST FUND . . 300,000

TOTAL: RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS
FROM TRUST FUNDS 3,173,596

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 3,173,596

STATE PARK OPERATIONS

APPROVED SALARY RATE 32,999,511

1853 SALARIES AND BENEFITS POSITIONS 1,061.00
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 1,199,842
FROM STATE PARK TRUST FUND 46,494,298

1854 OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 3,900,805

1855 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 40,861
FROM STATE PARK TRUST FUND 12,750,173

1856 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 82,673

1858 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

DISTRIBUTION OF SURCHARGE FEES
FROM STATE PARK TRUST FUND 700,000

1859 SPECIAL CATEGORIES
DISBURSE DONATIONS
FROM FEDERAL GRANTS TRUST FUND . . . 60,000
FROM GRANTS AND DONATIONS TRUST
FUND 200,000
FROM STATE PARK TRUST FUND 250,000

1860 SPECIAL CATEGORIES
LAND MANAGEMENT
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 1,529,552

1862 SPECIAL CATEGORIES
AMERICORPS PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 700,000

1863 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 4,891,903

1864 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM STATE PARK TRUST FUND 287,996

1865 SPECIAL CATEGORIES
PURCHASES FOR RESALE
FROM STATE PARK TRUST FUND 2,181,420

1866 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 560,519
FROM STATE PARK TRUST FUND 2,442,946

1867 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE PARK TRUST FUND 75,000

1868 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 12,902
FROM STATE PARK TRUST FUND 500,752

1868A FIXED CAPITAL OUTLAY
STATE PARK FACILITY IMPROVEMENTS
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 10,230,000

1870 FIXED CAPITAL OUTLAY
DISASTER RELATED REPAIRS
FROM FEDERAL GRANTS TRUST FUND . . . 2,000,000

1871 FIXED CAPITAL OUTLAY
REMOVE ACCESSIBILITY BARRIERS - STATEWIDE
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 1,000,000

1872 FIXED CAPITAL OUTLAY
GRANTS AND DONATIONS SPENDING AUTHORITY
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 1,450,000

1874 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND . . 9,489,525

TOTAL: STATE PARK OPERATIONS

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM TRUST FUNDS 104,031,167

TOTAL POSITIONS 1,061.00
TOTAL ALL FUNDS 104,031,167

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 4,263,841

1875 SALARIES AND BENEFITS POSITIONS 104.00
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 448,370
FROM FEDERAL GRANTS TRUST FUND . . . 1,649,879
FROM LAND ACQUISITION TRUST FUND . . 3,708,469

1876 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 176,608
FROM LAND ACQUISITION TRUST FUND . . 301,704

1877 EXPENSES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 184,858
FROM LAND ACQUISITION TRUST FUND . . 633,676

1878 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 9,292
FROM LAND ACQUISITION TRUST FUND . . 100

1879 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 141,135

1880 SPECIAL CATEGORIES
SUBMERGED RESOURCE DAMAGED RESTORATIONS
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 57,834

1881 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 50,000
FROM LAND ACQUISITION TRUST FUND . . 67,303

1882 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 3,837,883
FROM GRANTS AND DONATIONS TRUST
FUND 300,000
FROM LAND ACQUISITION TRUST FUND . . 303,389

1883 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 110,671
FROM FEDERAL GRANTS TRUST FUND . . . 2,223
FROM LAND ACQUISITION TRUST FUND . . 57,750

1884 SPECIAL CATEGORIES
COASTAL AND AQUATIC MANAGED AREAS (CAMA) -
CARL MANAGEMENT FUNDS
FROM CONSERVATION AND RECREATION
LANDS TRUST FUND 243,082

1885 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM LAND ACQUISITION TRUST FUND . . 200,000

1886 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

LANDS TRUST FUND 3,966
FROM FEDERAL GRANTS TRUST FUND . . . 11,706
FROM LAND ACQUISITION TRUST FUND . . 35,866

TOTAL: COASTAL AND AQUATIC MANAGED AREAS
FROM TRUST FUNDS 12,535,764

TOTAL POSITIONS 104.00
TOTAL ALL FUNDS 12,535,764

PROGRAM: AIR RESOURCES MANAGEMENT

AIR ASSESSMENT

APPROVED SALARY RATE 1,591,207

1887 SALARIES AND BENEFITS POSITIONS 33.00
FROM AIR POLLUTION CONTROL TRUST
FUND 2,116,047

1888 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 1,780,806

1889 EXPENSES
FROM AIR POLLUTION CONTROL TRUST
FUND 922,575

1890 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST
FUND 313,743

1891 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE
REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST
FUND 3,662,968

1892 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 15,000

1893 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST
FUND 9,544

1894 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST
FUND 13,567

TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 8,834,250

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 8,834,250

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 2,363,462

1895 SALARIES AND BENEFITS POSITIONS 47.00
FROM AIR POLLUTION CONTROL TRUST
FUND 3,099,846

1896 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 3,657,810

1897 EXPENSES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM AIR POLLUTION CONTROL TRUST
FUND 515,601

1898 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST
FUND 73,937

1899 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE
REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST
FUND 3,662,968

1900 SPECIAL CATEGORIES
ASBESTOS REMOVAL PROGRAM FEES
FROM AIR POLLUTION CONTROL TRUST
FUND 150,000

1901 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST
FUND 7,000

1902 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST
FUND 10,041

1903 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST
FUND 19,968

TOTAL: AIR POLLUTION PREVENTION
FROM TRUST FUNDS 11,197,171

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 11,197,171

UTILITIES SITING AND COORDINATION

APPROVED SALARY RATE 319,744

1904 SALARIES AND BENEFITS POSITIONS 7.00
FROM PERMIT FEE TRUST FUND 435,908

1905 EXPENSES
FROM PERMIT FEE TRUST FUND 48,246

1906 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PERMIT FEE TRUST FUND 1,000

1907 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PERMIT FEE TRUST FUND 624

1908 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PERMIT FEE TRUST FUND 2,812

TOTAL: UTILITIES SITING AND COORDINATION
FROM TRUST FUNDS 488,590

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 488,590

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 3,008,219

1909 SALARIES AND BENEFITS POSITIONS 60.50
FROM COASTAL PROTECTION TRUST FUND . 682,997
FROM INLAND PROTECTION TRUST FUND . 802,713
FROM SOLID WASTE MANAGEMENT TRUST FUND 2,764,725

1910 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND . 78,283

1911 EXPENSES
FROM COASTAL PROTECTION TRUST FUND . 85,344
FROM INLAND PROTECTION TRUST FUND . 780,613

1912 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND . 16,794

1913 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 76,350

1914 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND . 50,000
FROM GRANTS AND DONATIONS TRUST FUND 100,000

1915 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 17,558
FROM INLAND PROTECTION TRUST FUND . 247,846

1916 SPECIAL CATEGORIES
OVERTIME
FROM COASTAL PROTECTION TRUST FUND . 40,400
FROM INLAND PROTECTION TRUST FUND . 40,400

1917 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 45,090

1918 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM COASTAL PROTECTION TRUST FUND . 21,465
FROM INLAND PROTECTION TRUST FUND . 31,490

1919 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 20,181
FROM COASTAL PROTECTION TRUST FUND . 3,427
FROM INLAND PROTECTION TRUST FUND . 2,532

TOTAL: ENVIRONMENTAL INVESTIGATION
FROM GENERAL REVENUE FUND 20,181
FROM TRUST FUNDS 5,888,027

TOTAL POSITIONS 60.50
TOTAL ALL FUNDS 5,908,208

PATROL ON STATE LANDS

APPROVED SALARY RATE 3,726,450

1920 SALARIES AND BENEFITS POSITIONS 93.00
FROM LAND ACQUISITION TRUST FUND . . 5,850,369

1921 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . 42,639

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

1922 EXPENSES
FROM LAND ACQUISITION TRUST FUND . . 216,853

1923 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND . . 73,445

1924 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND . . 222,901

1925 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 300,000
FROM LAND ACQUISITION TRUST FUND . . 211,218

1926 SPECIAL CATEGORIES
OVERTIME
FROM LAND ACQUISITION TRUST FUND . . 65,550

1927 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAND ACQUISITION TRUST FUND . . 117,616

1928 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM LAND ACQUISITION TRUST FUND . . 95,462

1929 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND . . 41,384

TOTAL: PATROL ON STATE LANDS
FROM TRUST FUNDS 7,237,437

TOTAL POSITIONS 93.00
TOTAL ALL FUNDS 7,237,437

EMERGENCY RESPONSE

APPROVED SALARY RATE 1,475,158

1930 SALARIES AND BENEFITS POSITIONS 28.00
FROM COASTAL PROTECTION TRUST FUND . 1,340,853
FROM INLAND PROTECTION TRUST FUND . 530,823

1931 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND . 195,411

1932 EXPENSES
FROM COASTAL PROTECTION TRUST FUND . 154,815
FROM INLAND PROTECTION TRUST FUND . 57,190

1933 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND . 7,818

1934 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND . 63,594

1935 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM COASTAL PROTECTION TRUST FUND . 921,027

1936 SPECIAL CATEGORIES
ON-CALL FEES
FROM COASTAL PROTECTION TRUST FUND . 98,902

1937 SPECIAL CATEGORIES
PAYMENTS FOR RESTORATION AND DAMAGE

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM COASTAL PROTECTION TRUST FUND . 25,000

1938 SPECIAL CATEGORIES
ABANDONED DRUM REMOVAL AND DISPOSAL
FROM COASTAL PROTECTION TRUST FUND . 100,000

1939 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND . 45,832

1940 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . 214,759

1941 SPECIAL CATEGORIES
TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION
FROM COASTAL PROTECTION TRUST FUND . 11,197,242

1942 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COASTAL PROTECTION TRUST FUND . 8,585
FROM INLAND PROTECTION TRUST FUND . 3,397

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 14,965,248

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 14,965,248

TOTAL: ENVIRONMENTAL PROTECTION, DEPARTMENT OF
FROM GENERAL REVENUE FUND 40,769,247
FROM TRUST FUNDS 1,401,966,170

TOTAL POSITIONS 3,551.50
TOTAL ALL FUNDS 1,442,735,417
TOTAL APPROVED SALARY RATE 144,622,267

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

By September 1, 2010, the Florida Fish and Wildlife Conservation Commission shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the commission is unable to complete and execute a service level agreement by that date, the commission shall submit a report to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care within five working days, explaining the specific issues preventing execution and describing the commission's plan and schedule for resolving those issues.

APPROVED SALARY RATE 9,314,333

1943 SALARIES AND BENEFITS POSITIONS 215.50
FROM ADMINISTRATIVE TRUST FUND . . . 10,206,319
FROM MARINE RESOURCES CONSERVATION TRUST FUND 853,325
FROM NON-GAME WILDLIFE TRUST FUND . 298,407
FROM STATE GAME TRUST FUND 1,218,829
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 412,766

1944 OTHER PERSONAL SERVICES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM ADMINISTRATIVE TRUST FUND . . . 245,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 18,171
FROM STATE GAME TRUST FUND 105,533

1945 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,320,125
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 20,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 600,000
FROM NON-GAME WILDLIFE TRUST FUND . 17,062
FROM SAVE THE MANATEE TRUST FUND . . 20,000
FROM STATE GAME TRUST FUND 626,492
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 121

1946 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 75,057
FROM MARINE RESOURCES CONSERVATION TRUST FUND 4,704
FROM STATE GAME TRUST FUND 16,557

1947 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 491,324

1948 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 123,205

1949 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 21,691

1950 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 240,000
FROM ADMINISTRATIVE TRUST FUND . . . 441,509
FROM MARINE RESOURCES CONSERVATION TRUST FUND 234,514
FROM NON-GAME WILDLIFE TRUST FUND . 1,945
FROM STATE GAME TRUST FUND 2,286,364

From the funds in Specific Appropriations 1950, $240,000 from the General Revenue Fund is contingent upon Senate Bill 1514 or similar legislation, related to the repeal of the shoreline fishing license fee, becoming law.

1951 SPECIAL CATEGORIES
PAYMENT OF REWARDS
FROM ADMINISTRATIVE TRUST FUND . . . 5,000

1952 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 49,348
FROM MARINE RESOURCES CONSERVATION TRUST FUND 3,092
FROM STATE GAME TRUST FUND 9,640
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,427

1953 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 3,120

1954 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION
FROM ADMINISTRATIVE TRUST FUND . . . 2,266,541

1955 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 76,245
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 8,208
FROM NON-GAME WILDLIFE TRUST FUND . 2,005
FROM STATE GAME TRUST FUND 4,165
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 2,829

1956 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM ADMINISTRATIVE TRUST FUND . . . 1,000,000
FROM FEDERAL GRANTS TRUST FUND . . . 390,000
FROM GRANTS AND DONATIONS TRUST
FUND 150,000

1957 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 5,615
FROM ADMINISTRATIVE TRUST FUND . . . 120,778

1958 FIXED CAPITAL OUTLAY
MAJOR REPAIRS OR IMPROVEMENTS STATEWIDE
FROM STATE GAME TRUST FUND 178,880

1958A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BOATING RELATED ACTIVITIES
FROM GENERAL REVENUE FUND 408,068
FROM STATE GAME TRUST FUND 91,932

TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE
SUPPORT SERVICES
FROM GENERAL REVENUE FUND 653,683
FROM TRUST FUNDS 24,022,230

TOTAL POSITIONS 215.50
TOTAL ALL FUNDS 24,675,913

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

APPROVED SALARY RATE 40,925,722

1959 SALARIES AND BENEFITS POSITIONS 902.50
FROM GENERAL REVENUE FUND 21,177,044
FROM FEDERAL GRANTS TRUST FUND . . . 2,507,073
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 30,203,705
FROM NON-GAME WILDLIFE TRUST FUND . 285,320
FROM STATE GAME TRUST FUND 2,046,759
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 2,040,858

1960 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 104,210
FROM FEDERAL GRANTS TRUST FUND . . . 58,000
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 236,348
FROM STATE GAME TRUST FUND 56,677

1961 EXPENSES
FROM GENERAL REVENUE FUND 1,630,710
FROM FEDERAL GRANTS TRUST FUND . . . 6,353,581
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 2,177,251
FROM STATE GAME TRUST FUND 525,536
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 313,415

1962 OPERATING CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM MARINE RESOURCES CONSERVATION
TRUST FUND 125,097
FROM STATE GAME TRUST FUND 812
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 62,500

1963 LUMP SUM
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009
FROM FEDERAL GRANTS TRUST FUND . . . 2,114,006

1964 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL
VEHICLES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 659,921

1965 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS,
MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 727,415

1966 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 272,166

1967 SPECIAL CATEGORIES
800 MHZ RADIO LAW ENFORCEMENT SYSTEM
EQUIPMENT AND MAINTENANCE
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 44,760

1968 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 445,358
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 575,207
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 1,500

1969 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM FEDERAL GRANTS TRUST FUND . . . 1,512,357

1970 SPECIAL CATEGORIES
BOAT RAMP MAINTENANCE CATEGORY
FROM FEDERAL GRANTS TRUST FUND . . . 431,250
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 181,878
FROM STATE GAME TRUST FUND 143,750

1971 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 765,000
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 2,065,885
FROM STATE GAME TRUST FUND 128,447

1972 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 874,152
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 294,986
FROM STATE GAME TRUST FUND 85,590

1973 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 43,963
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 212,393
FROM STATE GAME TRUST FUND 59,100
FROM CONSERVATION AND RECREATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

LANDS PROGRAM TRUST FUND 20,160

1974 SPECIAL CATEGORIES
FIRE SAFETY INSPECTIONS ASSESSMENT FEE
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 300,000

1975 SPECIAL CATEGORIES
BOATING AND WATERWAYS ACTIVITIES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 1,926,025

1976 SPECIAL CATEGORIES
BOATING AND WATERWAYS GRANTS
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 50,000

1977 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 176,065
FROM FEDERAL GRANTS TRUST FUND . . . 1,197
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 171,573
FROM STATE GAME TRUST FUND 14,303
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 13,587

1978 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 11,038,126
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 4,277,132
FROM STATE GAME TRUST FUND 1,008,746

1979 SPECIAL CATEGORIES
BOATING SAFETY EDUCATION PROGRAM
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 550,650

1980 FIXED CAPITAL OUTLAY
BOATING INFRASTRUCTURE
FROM FEDERAL GRANTS TRUST FUND . . . 7,950,000

1980A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA BOATING IMPROVEMENT PROGRAM
FROM STATE GAME TRUST FUND 300,000

TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 25,216,502
FROM TRUST FUNDS 84,125,042

TOTAL POSITIONS 902.50
TOTAL ALL FUNDS 109,341,544

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

APPROVED SALARY RATE 1,898,473

1981 SALARIES AND BENEFITS POSITIONS 45.00
FROM FEDERAL GRANTS TRUST FUND . . . 630,635
FROM STATE GAME TRUST FUND 1,569,077
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 471,454

1982 OTHER PERSONAL SERVICES
FROM STATE GAME TRUST FUND 222,303

1983 EXPENSES
FROM STATE GAME TRUST FUND 567,331

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 1,852

1984 OPERATING CAPITAL OUTLAY
FROM STATE GAME TRUST FUND 9,538

1985 SPECIAL CATEGORIES
FISH AND WILDLIFE CONSERVATION COMMISSION
YOUTH HUNTING AND FISHING PROGRAMS
FROM STATE GAME TRUST FUND 70,500

1986 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 48,015

1987 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 115,618

1988 SPECIAL CATEGORIES
DEER MANAGEMENT PROGRAM
FROM STATE GAME TRUST FUND 300,000

1989 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE GAME TRUST FUND 305,710

1990 SPECIAL CATEGORIES
TRANSFER DEPARTMENT OF AGRICULTURE -
ALLIGATOR MARKETING AND EDUCATION
FROM STATE GAME TRUST FUND 150,000

1991 SPECIAL CATEGORIES
PUBLIC DOVE FIELD DEVELOPMENT
FROM STATE GAME TRUST FUND 49,000

1992 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 451,939
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 33,004

1993 SPECIAL CATEGORIES
WILDLIFE MANAGEMENT AREA USER PAY
FROM STATE GAME TRUST FUND 638,266

1994 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE GAME TRUST FUND 16,119
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 3,470

1995 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 1,001,129
FROM GRANTS AND DONATIONS TRUST
FUND 129,450
FROM STATE GAME TRUST FUND 30,000

1996 SPECIAL CATEGORIES
WILD TURKEY PROJECTS
FROM STATE GAME TRUST FUND 300,000

1997 FIXED CAPITAL OUTLAY
RESTROOM RENOVATION
FROM FEDERAL GRANTS TRUST FUND . . . 80,000

TOTAL: HUNTING AND GAME MANAGEMENT
FROM TRUST FUNDS 7,194,410

TOTAL POSITIONS 45.00

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS 7,194,410

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

APPROVED SALARY RATE 14,354,380

1998 SALARIES AND BENEFITS POSITIONS 354.00
FROM INVASIVE PLANT CONTROL TRUST FUND 2,165,164
FROM FEDERAL GRANTS TRUST FUND . . . 3,004,906
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 222,470
FROM GRANTS AND DONATIONS TRUST FUND 57,134
FROM LAND ACQUISITION TRUST FUND . . 470,566
FROM MARINE RESOURCES CONSERVATION TRUST FUND 554,415
FROM NON-GAME WILDLIFE TRUST FUND . 1,679,819
FROM SAVE THE MANATEE TRUST FUND . . 827,524
FROM STATE GAME TRUST FUND 5,502,874
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 5,407,471

1999 OTHER PERSONAL SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND 457,080
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 138,094
FROM LAND ACQUISITION TRUST FUND . . 121,350
FROM MARINE RESOURCES CONSERVATION TRUST FUND 150,759
FROM NON-GAME WILDLIFE TRUST FUND . 198,903
FROM SAVE THE MANATEE TRUST FUND . . 176,047
FROM STATE GAME TRUST FUND 240,143
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 79,496

2000 EXPENSES
FROM INVASIVE PLANT CONTROL TRUST FUND 822,437
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 179,912
FROM LAND ACQUISITION TRUST FUND . . 89,831
FROM MARINE RESOURCES CONSERVATION TRUST FUND 107,590
FROM NON-GAME WILDLIFE TRUST FUND . 568,750
FROM SAVE THE MANATEE TRUST FUND . . 293,072
FROM STATE GAME TRUST FUND 1,152,989
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,197,637

2002 OPERATING CAPITAL OUTLAY
FROM INVASIVE PLANT CONTROL TRUST FUND 10,488
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,250
FROM MARINE RESOURCES CONSERVATION TRUST FUND 6,250
FROM NON-GAME WILDLIFE TRUST FUND . 18,278
FROM SAVE THE MANATEE TRUST FUND . . 8,625
FROM STATE GAME TRUST FUND 59,422
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 10,625

2003 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM STATE GAME TRUST FUND 18,650

2004 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
LANDS PROGRAM TRUST FUND 4,988,738

2005 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 2,398,292

2006 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND 204,250
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 20,912
FROM LAND ACQUISITION TRUST FUND . . 35,844
FROM NON-GAME WILDLIFE TRUST FUND . 40,010
FROM SAVE THE MANATEE TRUST FUND . . 20,771
FROM STATE GAME TRUST FUND 46,867
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 65,196

2007 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 3,984,291

2008 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6
FROM FEDERAL GRANTS TRUST FUND . . . 1,479,874

2009 SPECIAL CATEGORIES
LAND MANAGEMENT/SAVE OUR RIVERS
FROM STATE GAME TRUST FUND 298,412

2010 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 27,500

2011 SPECIAL CATEGORIES
DUCKS UNLIMITED MARSH PROJECT
FROM STATE GAME TRUST FUND 106,792

2012 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM INVASIVE PLANT CONTROL TRUST FUND 29,823,647

2013 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 2,451
FROM LAND ACQUISITION TRUST FUND . . 2,544
FROM MARINE RESOURCES CONSERVATION TRUST FUND 2,852
FROM NON-GAME WILDLIFE TRUST FUND . 21,079
FROM SAVE THE MANATEE TRUST FUND . . 5,621
FROM STATE GAME TRUST FUND 107,072
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 58,296

2014 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM
FROM INVASIVE PLANT CONTROL TRUST FUND 25,000

2015 SPECIAL CATEGORIES
HABITAT RESTORATION
FROM LAND ACQUISITION TRUST FUND . . 2,979,857

2016 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH
FROM INVASIVE PLANT CONTROL TRUST

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

	FUND	844,171
2017	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM INVASIVE PLANT CONTROL TRUST FUND	13,005
	FROM FEDERAL GRANTS TRUST FUND . . .	2,932
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,912
	FROM GRANTS AND DONATIONS TRUST FUND	401
	FROM LAND ACQUISITION TRUST FUND . .	3,171
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,058
	FROM NON-GAME WILDLIFE TRUST FUND .	17,019
	FROM SAVE THE MANATEE TRUST FUND . .	6,999
	FROM STATE GAME TRUST FUND	68,770
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	44,888
2018	SPECIAL CATEGORIES	
	HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,448,202
2019	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	
	FROM INVASIVE PLANT CONTROL TRUST FUND	800,000
	FROM FEDERAL GRANTS TRUST FUND . . .	10,525,264
	FROM GRANTS AND DONATIONS TRUST FUND	504,936
	FROM NON-GAME WILDLIFE TRUST FUND .	91,652
	FROM STATE GAME TRUST FUND	165,201
2019A	FIXED CAPITAL OUTLAY	
	LAKE RESTORATION	
	FROM STATE GAME TRUST FUND	2,000,000
2020	FIXED CAPITAL OUTLAY	
	LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE	
	FROM FLORIDA FOREVER PROGRAM TRUST FUND	225,000
TOTAL: HABITAT AND SPECIES CONSERVATION		
	FROM TRUST FUNDS	90,511,770
	TOTAL POSITIONS 354.00	
	TOTAL ALL FUNDS	90,511,770

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

APPROVED SALARY RATE 2,755,924

2021	SALARIES AND BENEFITS POSITIONS 69.50	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,271,395
	FROM STATE GAME TRUST FUND	1,634,094
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	130,635
2022	OTHER PERSONAL SERVICES	
	FROM FEDERAL GRANTS TRUST FUND . . .	40,134
	FROM STATE GAME TRUST FUND	26,035
2023	EXPENSES	
	FROM FEDERAL GRANTS TRUST FUND . . .	373,510
	FROM STATE GAME TRUST FUND	301,003
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	20,000
2024	OPERATING CAPITAL OUTLAY	
	FROM STATE GAME TRUST FUND	20,514
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	15,625
2025	SPECIAL CATEGORIES	
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS	
	FROM STATE GAME TRUST FUND	5,571
2026	SPECIAL CATEGORIES	
	FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS	
	FROM STATE GAME TRUST FUND	95,500
2027	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	60,819
2028	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM FEDERAL GRANTS TRUST FUND . . .	29,503
	FROM STATE GAME TRUST FUND	38,046
2029	SPECIAL CATEGORIES	
	LAKE RESTORATION	
	FROM STATE GAME TRUST FUND	695,000
2030	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM STATE GAME TRUST FUND	71,101
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	3,762
2031	SPECIAL CATEGORIES	
	LAND USE PROCEEDS DISBURSEMENTS	
	FROM STATE GAME TRUST FUND	350,000
2032	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM STATE GAME TRUST FUND	28,406
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	1,023
2033	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,053,837
TOTAL: FRESHWATER FISHERIES MANAGEMENT		
	FROM TRUST FUNDS	8,265,513
	TOTAL POSITIONS 69.50	
	TOTAL ALL FUNDS	8,265,513

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

APPROVED SALARY RATE 1,405,991

2034	SALARIES AND BENEFITS POSITIONS 30.00	
	FROM FEDERAL GRANTS TRUST FUND . . .	566,523
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,366,746
2035	OTHER PERSONAL SERVICES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	55,250

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

2036 EXPENSES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 436,344

2037 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 423

2038 SPECIAL CATEGORIES
FISH AND WILDLIFE CONSERVATION COMMISSION
YOUTH HUNTING AND FISHING PROGRAMS
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 159,000
FROM STATE GAME TRUST FUND 25,000

2039 SPECIAL CATEGORIES
AQUATIC RESOURCES EDUCATION
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 327,935

2040 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 222,987

2041 SPECIAL CATEGORIES
GULF STATES MARINE FISHERIES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 22,500

2042 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 829,912

2043 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 72,068

2044 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 1,599
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 10,915

2045 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 50,000

2046 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ARTIFICIAL FISHING REEF CONSTRUCTION
PROGRAM
FROM FEDERAL GRANTS TRUST FUND . . . 500,000
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 300,000

TOTAL: MARINE FISHERIES MANAGEMENT
FROM TRUST FUNDS 5,947,202

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 5,947,202

PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 14,269,915

2047 SALARIES AND BENEFITS POSITIONS 330.50

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 915,185
FROM FEDERAL GRANTS TRUST FUND . . . 3,677,469
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 189,426
FROM GRANTS AND DONATIONS TRUST
FUND 531
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 9,179,158
FROM NON-GAME WILDLIFE TRUST FUND . 1,090,557
FROM SAVE THE MANATEE TRUST FUND . . 934,965
FROM STATE GAME TRUST FUND 2,971,201
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 161,330

From the funds in Specific Appropriations 2047, $900,000 from the General Revenue Fund is contingent upon Senate Bill 1514 or similar legislation, related to the repeal of the shoreline fishing license fee, becoming law.

2048 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 776,000
FROM FEDERAL GRANTS TRUST FUND . . . 100,000
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 60,867
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 4,372,345
FROM NON-GAME WILDLIFE TRUST FUND . 327,508
FROM SAVE THE MANATEE TRUST FUND . . 726,436
FROM STATE GAME TRUST FUND 108,693

2049 EXPENSES
FROM GENERAL REVENUE FUND 262,764
FROM FLORIDA PANTHER RESEARCH AND
MANAGEMENT TRUST FUND 84,511
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 2,892,412
FROM NON-GAME WILDLIFE TRUST FUND . 413,459
FROM SAVE THE MANATEE TRUST FUND . . 470,100
FROM STATE GAME TRUST FUND 509,369
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 3,952

2050 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 151,239
FROM NON-GAME WILDLIFE TRUST FUND . 7,335
FROM SAVE THE MANATEE TRUST FUND . . 8,125
FROM STATE GAME TRUST FUND 36,932

2051 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 12,500

2052 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS,
MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 42,217
FROM SAVE THE MANATEE TRUST FUND . . 3,500
FROM STATE GAME TRUST FUND 17,141

2053 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION
LANDS PROGRAM TRUST FUND 87,964

2054 SPECIAL CATEGORIES
REEF GROUNDING SETTLEMENT
FROM MARINE RESOURCES CONSERVATION
TRUST FUND 912

2055 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 2,190
FROM MARINE RESOURCES CONSERVATION TRUST FUND 178,001
FROM NON-GAME WILDLIFE TRUST FUND . 28,466
FROM SAVE THE MANATEE TRUST FUND . . 15,099
FROM STATE GAME TRUST FUND 27,032
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,190

2056 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 325,945

2057 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 3,082
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,658
FROM MARINE RESOURCES CONSERVATION TRUST FUND 111,737
FROM NON-GAME WILDLIFE TRUST FUND . 9,892
FROM SAVE THE MANATEE TRUST FUND . . 8,180
FROM STATE GAME TRUST FUND 26,088
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,411

2058 SPECIAL CATEGORIES
RED TIDE RESEARCH
FROM GENERAL REVENUE FUND 1,000,000

2059 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND . . . 9,790,584
FROM GRANTS AND DONATIONS TRUST FUND 659,941
FROM MARINE RESOURCES CONSERVATION TRUST FUND 6,228,598
FROM NON-GAME WILDLIFE TRUST FUND . 115,112
FROM STATE GAME TRUST FUND 500,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 2,953,949
FROM TRUST FUNDS 46,677,360

TOTAL POSITIONS 330.50
TOTAL ALL FUNDS 49,631,309

TOTAL: FISH AND WILDLIFE CONSERVATION COMMISSION
FROM GENERAL REVENUE FUND 28,824,134
FROM TRUST FUNDS 266,743,527

TOTAL POSITIONS 1,947.00
TOTAL ALL FUNDS 295,567,661
TOTAL APPROVED SALARY RATE 84,924,738

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119 through 2129, and 2169 through 2179 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 101,226,677

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

2060 SALARIES AND BENEFITS POSITIONS 1,786.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 133,096,704
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 883,397

2061 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 476,746
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 40,000

2062 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 7,425,556
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 358,155

2063 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,242,669
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 10,000

2064 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 8,421,009

2065 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 3,498,961
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 308,000

2066 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,079,798

2067 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 88,500

2068 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 25,795

2069 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 38,404,800

2070 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED - MEDICAID SERVICES
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 65,486,126

2071 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 42,550,085

2072 FIXED CAPITAL OUTLAY
AVIATION DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 129,921,080

2073 FIXED CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 200,923,034

2074 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 277,370,082
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 50,387,564

2075 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 15,000,000

2076 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,000,000

2077 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 25,640,022

2078 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 326,160,192

2079 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 37,165,755

2080 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 395,396,568
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 5,157,498

2081 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 29,615,343
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 856,440

2082 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 23,651,665

2083 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 149,869,475

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS 1,980,511,019

TOTAL POSITIONS 1,786.00
TOTAL ALL FUNDS 1,980,511,019

FLORIDA RAIL ENTERPRISE

From the funds provided in Specific Appropriations 2084 through 2089, as a part of the rail system plan to be developed pursuant to section 341.302(3), Florida Statutes, the Department of Transportation is directed to provide the Legislature with a report regarding a five year plan on all possible new rail transit systems in the State of Florida, and a detailed update on the Department of Transportation Florida East

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
Coast Railroad Corridor Study as to its findings, cost of implementation and timing. This report shall be submitted to the Legislative Budget Commission no later than January 1, 2011.

APPROVED SALARY RATE 106,158

2084 SALARIES AND BENEFITS POSITIONS 1.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 135,426

The Department is authorized to transfer one position and related budget and salary rate to fund the Executive Director of the Florida Rail Enterprise.

2085 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,500

2086 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 25,200

2087 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,000

2088 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,000

2089 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 7,000

2090 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 943,000

2091 FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 17,200,000

2092 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 41,698,608

From the funds provided in Specific Appropriation 2092, $1,000,000 is provided to the South Florida Regional Transportation Authority for operations, maintenance and dispatching services. These funds are in addition to the funds provided in section 343.58 (4)(a), Florida Statutes.

From funds in Specific Appropriation 2092, $3,500,000 is provided for the construction of Supplemental Safety Measures, known as quadrant gates, as authorized by the Federal Rail Administration for quiet zone crossings, in any city which has a population of less than 40,000, has an intercity passenger rail station and is located along the SunRail Corridor.

2093 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 18,600,000

2094 FIXED CAPITAL OUTLAY
HIGH SPEED RAIL DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 130,802,313

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
TOTAL: FLORIDA RAIL ENTERPRISE
FROM TRUST FUNDS 209,420,047

TOTAL POSITIONS 1.00
TOTAL ALL FUNDS 209,420,047

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

From the funds in Specific Appropriations 2095 through 2097, the Department of Transportation shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on Education and Economic Development and Senate Policy and Steering Committee on Ways and Means for the relocation of its computing services and associated resources from the department's Motor Carrier Compliance Office to the Northwood Shared Resource Center (NSRC) by July 1, 2011, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

The department shall work with the Agency for Enterprise Information Technology (AEIT) and the NSRC in developing a plan, in accordance with requirements of the AEIT, that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation.

APPROVED SALARY RATE 172,982,574

2095 SALARIES AND BENEFITS POSITIONS 4,123.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 235,787,831

2096 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 578,265

2097 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 24,090,373
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 26,600

2098 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,817,003
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 24,975

2099 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 9,297,061

2100 SPECIAL CATEGORIES
FAIRBANKS HAZARDOUS WASTE SITE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 180,600

2101 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,687,553

2102 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 7,819,220

2103 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,463,153

2104 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,057,759

2105 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 218,240

2106 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 34,890,475

2107 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 818,831

2108 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 11,194

2109 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 3,200,000

2110 FIXED CAPITAL OUTLAY
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 15,242,486

2110A FIXED CAPITAL OUTLAY
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM
(SCRAP)
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,000,000

2111 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 21,362,190

2112 FIXED CAPITAL OUTLAY
COUNTY TRANSPORTATION PROGRAMS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 52,780,796

From the funds in Specific Appropriation 2112, $10,000,000 in nonrecurring funds from the State Transportation Trust Fund is provided for a transportation infrastructure program to assist counties and school districts with transportation infrastructure issues. Counties that have at least a 2.65 percent average enrollment growth for the five year period ending with the 2008-09 school year are eligible to participate in this program. Counties that receive funds under this program shall submit a report, by the end of the fiscal year or upon completion of the project, to the Department of Transportation and the Department of Community Affairs describing in detail the infrastructure issues addressed through this program. The departments of Transportation and Community Affairs shall review the reports from the counties and submit their findings and recommendations to the Legislature regarding the effectiveness of this infrastructure program.

2113 FIXED CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
BOND GUARANTEE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 500,000

2114 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 345,601,566

From the funds in Specific Appropriation 2114, 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 specifically limited to an expenditure level of $2,000,000 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.

2115 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,281,360,812

From the funds in Specific Appropriation 2115, $1,400,000 is provided for the installation of a visual barrier across from the new Weigh-In-Motion Station on Interstate 95 in Martin County.

2116 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 309,134,003

2117 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 237,031,453
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 15,537,296

2118 FIXED CAPITAL OUTLAY
ENVIRONMENTAL SITE RESTORATION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,445,000

2119 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 108,250,599

2120 FIXED CAPITAL OUTLAY
RESURFACING
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 871,756,787

2121 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 267,490,890
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND . . 51,971,769

2122 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
(PRIMARY) TRUST FUND 18,588,000

2123 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TRANSPORTATION
EXPRESSWAY AUTHORITIES
FROM TOLL FACILITIES REVOLVING
TRUST FUND 6,500,000

2124 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 14,230,658

2125 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 20,300,000

From the funds in Specific Appropriation 2125, $300,000 may be used by the Office of Tourism, Trade, and Economic Development for contract development and monitoring related to the Economic Development Transportation Program. The remaining funds in Specific Appropriation 2125 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.

2126 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 17,309,953

2127 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 56,478,790

2128 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 52,914,408

2129 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 13,253,726

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS 4,121,010,315

TOTAL POSITIONS 4,123.00
TOTAL ALL FUNDS 4,121,010,315

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 40,857,496

2130 SALARIES AND BENEFITS POSITIONS 798.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 54,356,472

2131 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,697,190

2132 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 8,595,478

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

2133 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 221,545

2134 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 73,580

2135 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,124,173

2136 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,906,302

2137 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 116,260

2138 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 97,747

2139 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 8,643,991

2140 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE - OTHER
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,838,903

2140A SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 3,120

2141 SPECIAL CATEGORIES
TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT
DISTRICT FOR EVERGLADES RESTORATION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,000,000

2142 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE FOR
HIGHWAY TAX COMPLIANCE
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 200,000

2143 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 361,095

2144 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 3,008,786
FROM TRANSPORTATION DISADVANTAGED
TRUST FUND 5,742

2145 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 500,000

2146 FIXED CAPITAL OUTLAY
RENOVATIONS - HEATING, VENTILATION AND AIR
CONDITIONING - BURNS BUILDING
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 4,000,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 89,750,384

TOTAL POSITIONS 798.00
TOTAL ALL FUNDS 89,750,384

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 2147 through 2154, the Department of Transportation shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development for the relocation and consolidation of its computing services and associated resources from the department's Burns Data Center and the Survey and Mapping Office to the Southwood Shared Resource Center (SSRC) by March 31, 2012, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

The department shall work with the Agency for Enterprise Information Technology (AEIT) and the SSRC in developing the transition plan, in accordance with requirements of the AEIT, that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation.

By September 1, 2010, the department shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on Education and Economic Development and Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 12,220,061

2147 SALARIES AND BENEFITS POSITIONS 267.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 16,603,251

2148 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 100,000

2149 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 8,506,151

2150 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 983,936

2151 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 9,447,091

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

2152 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 66,243

2153 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 70,421

2154 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,609,620

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 41,386,713

TOTAL POSITIONS 267.00
TOTAL ALL FUNDS 41,386,713

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE 22,035,906

2155 SALARIES AND BENEFITS POSITIONS 468.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 29,976,123

2156 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 959,952

2157 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 24,229,119

2158 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 284,470

2159 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 89,800

2160 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 1,429,028

2161 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 21,826,772

2162 SPECIAL CATEGORIES
TOLL OPERATION CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 77,774,257

2163 SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,652,281

2164 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 19,311,625

2165 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 172,524

2166 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 349,850

2167 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 5,668,409

2168 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 300,000

2169 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 44,053,787

From the funds in Specific Appropriation 2169, 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 specifically limited to an expenditure level of $2,000,000 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.

2170 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 4,139,417
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 26,649,377
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 150,000

2171 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 72,310
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 19,567,571

2172 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM TURNPIKE GENERAL RESERVE
TRUST FUND 553,000

2173 FIXED CAPITAL OUTLAY
RESURFACING
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 28,073,103

2174 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM TURNPIKE RENEWAL AND
REPLACEMENT TRUST FUND 1,705,329

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION
SPECIFIC
APPROPRIATION

2175 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 9,244,391
FROM TURNPIKE GENERAL RESERVE TRUST FUND 46,813,407
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 15,201,383

2176 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM TURNPIKE GENERAL RESERVE TRUST FUND 305,000

2177 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 271,031

2178 FIXED CAPITAL OUTLAY
TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT
FROM TURNPIKE GENERAL RESERVE TRUST FUND 46,623,368

2179 FIXED CAPITAL OUTLAY
TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 44,490,313

TOTAL: FLORIDA'S TURNPIKE ENTERPRISE
FROM TRUST FUNDS 480,936,997

TOTAL POSITIONS 468.00
TOTAL ALL FUNDS 480,936,997

TOTAL: TRANSPORTATION, DEPARTMENT OF
FROM TRUST FUNDS 6,923,015,475

TOTAL POSITIONS 7,443.00
TOTAL ALL FUNDS 6,923,015,475
TOTAL APPROVED SALARY RATE 349,428,872

TOTAL OF SECTION 5

FROM GENERAL REVENUE FUND 182,946,528

FROM TRUST FUNDS 9,595,640,029

TOTAL POSITIONS 16,967.25

TOTAL ALL FUNDS 9,778,586,557

SECTION 6 - GENERAL GOVERNMENT

The moneys 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 Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

2179A LUMP SUM
SUNCOM SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,318,600
FROM TRUST FUNDS . . . . . -2,481,400

2180 LUMP SUM
CASUALTY INSURANCE PREMIUM DEFICIT
FROM GENERAL REVENUE FUND 27,301,462

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 11,799,910

2181 LUMP SUM
HUMAN RESOURCES OUTSOURCING CONTINGENCY
FROM GENERAL REVENUE FUND 300,000

2182 LUMP SUM
HUMAN RESOURCES ASSESSMENT REDUCTION
FROM GENERAL REVENUE FUND . . . . . -3,307,500
FROM TRUST FUNDS . . . . . -2,817,500

2182A LUMP SUM
STRENGTHENING DOMESTIC SECURITY
FROM TRUST FUNDS 103,789,169

Funds provided in Specific Appropriation 2182A 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 the individual projects as indicated in the Fiscal Year 2010-2011 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 approval of the Legislative Budget Commission.

Department of Agriculture and Consumer Services
State Agricultural Response Team (SART) Support..... 237,718
Lab Info Mgmt System (LIMS) for Animal Disease Diagnosis.. 252,350
Sustain Training/Exercise-USAR, LTRT, HazMat, IMT..... 161,000
Food and Agriculture Lab Equip Maintenance..... 205,977
Mobile VACIS: Maintenance to Sustain Equip (2 Units).... 227,264
Time Lapse Monitoring / Tag Recog. System Maintenance..... 130,000
Department of Education
Higher Ed. Emergency Communications..... 1,821,879
K-12 Target Hardening..... 2,508,957
Department of Environmental Protection
Forensic Response Teams with Sustainment..... 80,000
Department of Management Services
FIN - Sustainment and Maintenance..... 2,997,300
FIN - Mutual Aid Build-out, Reg. 5, Signaling, Software... 1,075,903
Department of Financial Services
Sustain Training/Exercise for USAR, LTRT, HazMat, IMT..... 2,201,546
MARC Unit Sustainment and Maintenance..... 239,838
Equipment retention for USAR and HazMat..... 1,445,558
Critical CBRNE Needs-HazMat/Communications Needs-USAR..... 807,909
Department of Health
Preventative Radiological/Nuclear Detection Surge Equip... 811,125
Hospital Security Training..... 327,625
Department of Highway Safety and Motor Vehicles
FL Driver Lic. Biometric ID Facial Recognition Software... 267,097
Department of Transportation
Preventative Radiological/Nuclear Detect. Enhancement..... 647,359
Florida Department of Law Enforcement
Sustain RDSTF Planners..... 422,500
Florida Law Enforcement Exchange (FLEX) Metadata Planners. 563,000
Critical Infrastructure Planners..... 472,500
Law Enforcement Analyst Training Programs..... 390,000
NE Florida Info and Intel Sharing Project - Region 3..... 177,500
Florida Fusion Center Law Enforcement Terrorist Prevention 975,000
Query Tool/Combined Commercial Public Data/State LE Data.. 945,427
FCIC / NCIC Validations Software Implementation..... 26,250
Critical Infrastructure Protection / Target Hardening..... 1,077,450
Region 3 Digital Forensics..... 536,805
Buffer Zone Protection Program (BZPP)..... 2,400,000
Management & Administration..... 156,417
Division of Emergency Management
Sustain RDSTF Planners..... 600,000
Enhance/Sustain EOD and SWAT Capabilities..... 2,230,320
Forensic Response Team with Sustainment..... 312,123
Local Planning, Training and Exercises..... 2,946,198
Regional Security Teams..... 845,950
State Training and Exercises..... 276,008
Fusion Center Planner (CFIX Planner)..... 70,000
Region 1 Fusion Center Analyst..... 95,000

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Region 2 Fusion Center Analysts	190,000
Rapid ID Buildout (Region 2)	500,000
Region 6 Fusion Center Analysts	150,000
FLEX - Maintenance Contracts	1,075,000
FLEX - Palm Beach Metatomix Project	200,000
Region 6 Rapid ID	200,000
Enhance Region 3 Radiological Detection/ID Capabilities	141,375
Management and Administration	2,051,367
Ft. Lauderdale Urban Area Security Initiative	5,885,153
Jacksonville Urban Area Security Initiative	5,194,690
Miami Urban Area Security Initiative	10,708,461
Orlando Urban Area Security Initiative	4,937,483
Tampa Urban Area Security Initiative	7,580,599
Metropolitan Medical Response Systems (MMRS)	2,221,933
Citizen Corps Program (CCP)	630,795
Interop Emerg Communications Grant Prog (IECGP)	2,243,500
Emergency Operation Center Program (EOC)	8,180,241
Target Hardening - Non Profit UASI	5,111,845
Operation Stone Garden - Border Security	14,621,324

2182B LUMP SUM
DATA PROCESSING RESERVE

FROM GENERAL REVENUE FUND	300,000	
FROM TRUST FUNDS		600,000

Funds provided in Specific Appropriation 2182B may be released by the Legislative Budget Commission, pursuant to notice and review provisions in section 216.177, Florida Statutes, to adjust agency data processing categories in accordance with revised utilization estimates associated with state agency data center resources being consolidated into primary data centers in Fiscal Year 2010-2011.

2183A LUMP SUM
EMPLOYEE COMPENSATION AND BENEFITS

FROM GENERAL REVENUE FUND	55,399,883	
FROM TRUST FUNDS		41,391,956

2185 LUMP SUM
TRANSITION ASSISTANCE

FROM GENERAL REVENUE FUND	1,500,000	

2185A LUMP SUM
STATE MATCH FOR FEDERAL FEMA FUNDING

FROM GENERAL REVENUE FUND	20,925,936	

2186 SPECIAL CATEGORIES
ASSOCIATION DUES

FROM GENERAL REVENUE FUND	215,170	

2187 SPECIAL CATEGORIES
ADMINISTRATION COMMISSION AND FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS

FROM GENERAL REVENUE FUND	10,000	

2188 SPECIAL CATEGORIES
DEFICIENCY

FROM GENERAL REVENUE FUND	400,000	

2189 SPECIAL CATEGORIES
EMERGENCY

FROM GENERAL REVENUE FUND	250,000	

2190 SPECIAL CATEGORIES
TRANSFER TO PLANNING AND BUDGETING SYSTEM TRUST FUND

FROM GENERAL REVENUE FUND	5,402,810	

TOTAL: PROGRAM: ADMINISTERED FUNDS		
FROM GENERAL REVENUE FUND	107,379,161	
FROM TRUST FUNDS		152,282,135
TOTAL ALL FUNDS		259,661,296

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AGENCY FOR WORKFORCE INNOVATION

From the funds in Specific Appropriations 2191 through 2249, any expenditure 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 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 2191 through 2249, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., or the Agency for Workforce Innovation if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

APPROVED SALARY RATE 2,295,624

2191 SALARIES AND BENEFITS	POSITIONS	34.00	
FROM GENERAL REVENUE FUND		227,356	
FROM ADMINISTRATIVE TRUST FUND . . .			2,769,403
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			180,092
2192 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND . . .			20,000
2193 EXPENSES			
FROM GENERAL REVENUE FUND		16,358	
FROM ADMINISTRATIVE TRUST FUND . . .			478,571
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			55,071
2194 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND . . .			5,866
2195 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		5,000	
FROM ADMINISTRATIVE TRUST FUND . . .			30,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND			116,600
2196 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		99	
FROM ADMINISTRATIVE TRUST FUND . . .			5,908
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			516

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2197 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 564
FROM ADMINISTRATIVE TRUST FUND . . . 9,761
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 707

TOTAL: EXECUTIVE LEADERSHIP
FROM GENERAL REVENUE FUND 249,377
FROM TRUST FUNDS 3,672,495

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 3,921,872

AGENCY SUPPORT SERVICES

APPROVED SALARY RATE 8,821,716

2198 SALARIES AND BENEFITS POSITIONS 159.50
FROM GENERAL REVENUE FUND 411,136
FROM ADMINISTRATIVE TRUST FUND . . . 10,384,250
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 434,144
FROM REVOLVING TRUST FUND 895,077

2199 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 172,049
FROM REVOLVING TRUST FUND 50,000

2200 EXPENSES
FROM GENERAL REVENUE FUND 409,748
FROM ADMINISTRATIVE TRUST FUND . . . 1,334,540
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 90,141
FROM REVOLVING TRUST FUND 1,510,076

2201 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 123,375

2202 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 18,714

2203 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 139,464
FROM ADMINISTRATIVE TRUST FUND . . . 1,303,081
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 300,000
FROM REVOLVING TRUST FUND 946,300

2204 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 168
FROM ADMINISTRATIVE TRUST FUND . . . 30,128
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 1,234
FROM REVOLVING TRUST FUND 3,279

2205 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,688
FROM ADMINISTRATIVE TRUST FUND . . . 43,935
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 1,371
FROM REVOLVING TRUST FUND 5,369

2206 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER

SECTION 6 - GENERAL GOVERNMENT
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FROM ADMINISTRATIVE TRUST FUND . . . 154,232

From the funds in Specific Appropriations 2206, 2218, 2227 and 2249, by September 1, 2010, the Agency for Workforce Innovation shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the agency is unable to complete and execute a service level agreement by that date, the agency shall submit a report to the Executive Office of the Governor and to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development within five working days, explaining the specific issues preventing execution and describing the agency's plan and schedule for resolving those issues.

2207 FIXED CAPITAL OUTLAY
REED ACT BUILDINGS PROJECTS - STATEWIDE
FROM REVOLVING TRUST FUND 1,180,512

TOTAL: AGENCY SUPPORT SERVICES
FROM GENERAL REVENUE FUND 962,204
FROM TRUST FUNDS 18,981,807

TOTAL POSITIONS 159.50
TOTAL ALL FUNDS 19,944,011

PROGRAM: WORKFORCE SERVICES

PROGRAM SUPPORT

From the funds in Specific Appropriation 2208 through 2218, 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 2208 through 2249, 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 Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on Education and Economic Development.

APPROVED SALARY RATE 23,765,015

2208 SALARIES AND BENEFITS POSITIONS 634.50
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 32,610,204
FROM WELFARE TRANSITION TRUST FUND . 1,223,579
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 601,742

2209 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,831,599
FROM WELFARE TRANSITION TRUST FUND . 65,313

2210 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,240,507
FROM WELFARE TRANSITION TRUST FUND . 1,105,389

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FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 62,078

2211 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 204,422

2211A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 850,000

From the funds in Specific Appropriation 2211A, $500,000 in nonrecurring funds is provided for the Florida Goodwill Association.

From the funds in Specific Appropriation 2211A, $250,000 in nonrecurring funds is provided for the Goodwill Industries of South Florida.

From the funds in Specific Appropriation 2211A, $100,000 in nonrecurring funds is provided for Connections Job Development Program.

2212 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM
FROM WELFARE TRANSITION TRUST FUND . 1,416,000

From the funds provided in Specific Appropriation 2212, $750,000 from the Welfare Transition Trust Fund is provided for the Non Custodial 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 2212, $666,000 from the Welfare Transition Trust Fund is provided to continue Gulf Coast Community Care's current Non Custodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

2213 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 21,071,761
FROM WELFARE TRANSITION TRUST FUND . 575,000
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 3,889,401

From funds in Specific Appropriation 2213, the nonrecurring sum of $2,000,000 from the Special Employment Security Administration Trust Fund shall be used by Workforce Florida, Inc. to contract with the Department of Military Affairs for the purpose of providing the About Face and Forward March programs.

From funds in Specific Appropriation 2213, the nonrecurring sum of $500,000 from the Special Employment Security Administration Trust Fund shall be used by Workforce Florida, Inc. to contract with the Department of Community Affairs for the purpose of providing the Youth Empowerment and Leadership Development Academy (YELDA), a Front Porch Florida Initiative.

2214 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE
BOARDS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 170,030,741
FROM WELFARE TRANSITION TRUST FUND . 79,012,178
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 876,904

Funds provided in Specific Appropriation 2214 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

SECTION 6 - GENERAL GOVERNMENT
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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 Governor's Office of Policy and Budget, the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on Education and Economic Development.

No funds in Specific Appropriation 2214 may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Agency for Workforce Innovation except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in section 112.061 and shall be in compliance with all applicable federal and state requirements. No funds in Specific Appropriation 2214 may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.

No funds in Specific Appropriation 2214 may be used for any contract exceeding $25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Agency for Workforce Innovation and Workforce Florida, Inc.

2215 SPECIAL CATEGORIES
GRANTS AND AIDS - DISPLACED HOMEMAKERS
FROM DISPLACED HOMEMAKER TRUST
FUND 2,060,024

2216 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 499,492
FROM WELFARE TRANSITION TRUST FUND . 2,257

2217 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 276,229
FROM WELFARE TRANSITION TRUST FUND . 6,627
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 581

2217A SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 101,212

2217B SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES -
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 288,721

2217C SPECIAL CATEGORIES
SALARIES AND BENEFITS - AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 121,837

2218 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 218,410
FROM WELFARE TRANSITION TRUST FUND . 200,000

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TOTAL: PROGRAM SUPPORT
FROM TRUST FUNDS 321,581,546

TOTAL POSITIONS 634.50
TOTAL ALL FUNDS 321,581,546

UNEMPLOYMENT COMPENSATION

APPROVED SALARY RATE 23,139,202

2219 SALARIES AND BENEFITS POSITIONS 612.00
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 34,741,112

2220 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 15,288,980

2221 EXPENSES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 21,585,671

2222 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 314,258

2223 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 61,214,391

2224 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 256,522

2225 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 286,656

2226 QUALIFIED EXPENDITURE CATEGORY
UNEMPLOYMENT COMPENSATION CLAIMS AND
BENEFITS INFORMATION SYSTEM
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 26,301,727

2227 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,323,429

TOTAL: UNEMPLOYMENT COMPENSATION
FROM TRUST FUNDS 162,312,746

TOTAL POSITIONS 612.00
TOTAL ALL FUNDS 162,312,746

WORKFORCE FLORIDA, INC.

APPROVED SALARY RATE 721,538

2228 SALARIES AND BENEFITS POSITIONS 9.00
FROM ADMINISTRATIVE TRUST FUND . . . 909,004

2229 SPECIAL CATEGORIES
WORKFORCE FLORIDA INC. OPERATIONS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 1,376,354
FROM WELFARE TRANSITION TRUST FUND . 1,040,807
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 538,210

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2230 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 822
FROM WELFARE TRANSITION TRUST FUND . 620
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 325

2231 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 2,451

2232 SPECIAL CATEGORIES
QUICK RESPONSE TRAINING
FROM GENERAL REVENUE FUND 2,000,000
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 1,300,000

2233 SPECIAL CATEGORIES
INCUMBENT WORKER TRAINING PROGRAM
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,000,000

TOTAL: WORKFORCE FLORIDA, INC.
FROM GENERAL REVENUE FUND 2,000,000
FROM TRUST FUNDS 7,168,593

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 9,168,593

UNEMPLOYMENT APPEALS COMMISSION

APPROVED SALARY RATE 2,592,091

2234 SALARIES AND BENEFITS POSITIONS 43.00
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 3,389,006

2235 SPECIAL CATEGORIES
UNEMPLOYMENT APPEALS COMMISSION OPERATIONS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 765,486

2236 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 7,913

2237 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 17,583

TOTAL: UNEMPLOYMENT APPEALS COMMISSION
FROM TRUST FUNDS 4,179,988

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 4,179,988

EARLY LEARNING

EARLY LEARNING SERVICES

APPROVED SALARY RATE 4,573,450

2238 SALARIES AND BENEFITS POSITIONS 83.00
FROM GENERAL REVENUE FUND 3,002,249
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 2,969,063

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2239 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,000
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 87,000

2240 EXPENSES
FROM GENERAL REVENUE FUND 293,679
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 755,353
FROM WELFARE TRANSITION TRUST FUND . 265,163

2241 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 500,000

2242 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,785
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 15,000

2243 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL READINESS SERVICES
FROM GENERAL REVENUE FUND 136,010,000
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 353,586,808
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 500,000
FROM WELFARE TRANSITION TRUST FUND . 116,353,182
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 8,992,592

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 2243, 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.).

From the funds in Specific Appropriation 2243 in the Welfare Transition Trust Fund, $1,400,000 from recurring funds is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY).

Funds in Specific Appropriation 2243 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 2243 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. Progress towards meeting this requirement shall be monitored by the Agency for Workforce Innovation, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

From the funds in Specific Appropriation 2243, the Agency for Workforce Innovation shall designate an amount to be used for the Child Care Executive Partnership Program, as defined in section 411.0102, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program may be used to match funds for statewide contracts.

2244 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL READINESS
FROM GENERAL REVENUE FUND 240,595
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 868,403

2245 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,854
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 23,600

2246 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY PREKINDERGARTEN PROGRAM
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 404,372,806

Funds in Specific Appropriation 2246 shall be allocated and distributed in accordance with the proviso associated with Specific Appropriation 75 in this act.

2247 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,616
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 6,481

2248 QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT (ELIS)
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 9,000,000
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 2,000,000

Funds provided in Specific Appropriation 2248 from the Child Care and Development Block Grant Trust Fund include up to $9,000,000 in nonrecurring federal funds expected from the American Recovery and Reinvestment Act of 2009.

2249 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM CHILD CARE AND DEVELOPMENT
BLOCK GRANT TRUST FUND 7,715

TOTAL: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 139,575,778
FROM TRUST FUNDS 900,303,166

TOTAL POSITIONS 83.00
TOTAL ALL FUNDS 1,039,878,944

TOTAL: AGENCY FOR WORKFORCE INNOVATION
FROM GENERAL REVENUE FUND 142,787,359
FROM TRUST FUNDS 1,418,200,341

TOTAL POSITIONS 1,575.00
TOTAL ALL FUNDS 1,560,987,700
TOTAL APPROVED SALARY RATE 65,908,636

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 7,800,017

2250 SALARIES AND BENEFITS POSITIONS 155.50
FROM ADMINISTRATIVE TRUST FUND . . . 10,468,497

2251 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 720,587

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2252 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,824,053

2253 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 153,790

2254 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 382,785

2255 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 272,780

2256 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND . . . 6,500

2257 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 149,017

2258 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND . . . 5,060

2259 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 66,298

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 14,049,367

TOTAL POSITIONS 155.50
TOTAL ALL FUNDS 14,049,367

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 2260 through 2266, the Department of Business and Professional Regulation shall develop and submit a report by October 1, 2010, to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means providing an update on its progress toward completing the relocation of all of its data center service functions to the Northwood Shared Resource Center (NSRC) by November 30, 2010.

The department shall work with the Agency for Enterprise Information (AEIT) and the NRSC in developing the report, in accordance with requirements of the AEIT, that shall, at a minimum, include a copy of the project management plan; work performance information that describes completion status on the project tasks necessary to accomplish the relocation; a description of quality control measures to reduce risk to the department's operations and ensure a successful transition; and, the forecasted completion of tasks associated with the consolidation.

Beginning July 1, 2010, the department shall have one trustee with one vote on the NSRC Board of Trustees during Fiscal Year 2010-11.

By February 1, 2011, the department shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center. If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 2,922,264

2260 SALARIES AND BENEFITS POSITIONS 54.00
FROM ADMINISTRATIVE TRUST FUND . . . 3,939,702

2261 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 94,096

2262 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,509,690

2263 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 100,000

2264 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 2,676,051

2265 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 17,332

2266 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 22,064

2267 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 5,000

2268 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM ADMINISTRATIVE TRUST FUND . . . 585,696

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 8,949,631

TOTAL POSITIONS 54.00
TOTAL ALL FUNDS 8,949,631

PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 3,019,323

2269 SALARIES AND BENEFITS POSITIONS 92.00
FROM ADMINISTRATIVE TRUST FUND . . . 4,239,580

2270 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 225,000

2271 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 531,993

2272 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,000

2274 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 9,000

2275 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 23,956

2276 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 37,688

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TOTAL: CUSTOMER CONTACT CENTER
FROM TRUST FUNDS 5,070,217

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 5,070,217

CENTRAL INTAKE

APPROVED SALARY RATE 3,500,765

2277 SALARIES AND BENEFITS POSITIONS 109.50
FROM ADMINISTRATIVE TRUST FUND . . . 5,002,803

2278 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 453,855

2279 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 655,567

2280 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,000

2281 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 800,000

2282 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 22,065

2283 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 50,566

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS 6,987,856

TOTAL POSITIONS 109.50
TOTAL ALL FUNDS 6,987,856

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 8,623,171

2284 SALARIES AND BENEFITS POSITIONS 212.00
FROM PROFESSIONAL REGULATION TRUST
FUND 11,997,453

2285 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 630,329

2286 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 2,805,594

2287 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST
FUND 5,000

2288 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 251,900

From the funds provided in Specific Appropriation 2288, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2289 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 899,080

2290 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM PROFESSIONAL REGULATION TRUST
FUND 1,255,050

From the funds in Specific Appropriation 2290, up to $400,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2290, 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 that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2290, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on General Government and Health Care by December 15, 2010, detailing the unlicensed activity functions performed by the department during Fiscal Year 2009-2010. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2291 SPECIAL CATEGORIES
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY
FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 600,000

2292 SPECIAL CATEGORIES
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 50,000

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2293 SPECIAL CATEGORIES
TRANSFER ARCHITECT & INTERIOR DESIGN
ACTIVITIES CH. 2002-274
FROM PROFESSIONAL REGULATION TRUST
FUND 425,239

2294 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 112,960

2295 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 163,236

2296 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 173,026

2297 SPECIAL CATEGORIES
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC
ACCOUNTING
FROM PROFESSIONAL REGULATION TRUST
FUND 100,000

2298 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 97,044

2299 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENGINEERING
MANAGEMENT CORPORATION (FEMC) CONTRACTED
SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 2,070,000

2300 FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST
FUND 450,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 22,085,911

TOTAL POSITIONS 212.00
TOTAL ALL FUNDS 22,085,911

FLORIDA BOXING COMMISSION

APPROVED SALARY RATE 222,062

2301 SALARIES AND BENEFITS POSITIONS 4.00
FROM PROFESSIONAL REGULATION TRUST
FUND 299,986

2302 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 129,219

2303 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 184,679

2304 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 2,000

2305 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 2,273

2306 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 4,690

TOTAL: FLORIDA BOXING COMMISSION
FROM TRUST FUNDS 622,847

TOTAL POSITIONS 4.00
TOTAL ALL FUNDS 622,847

TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE 1,487,564

2307 SALARIES AND BENEFITS POSITIONS 43.00
FROM PROFESSIONAL REGULATION TRUST
FUND 2,073,126

2308 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 368,930

2309 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST
FUND 3,000

2310 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR
PROFESSIONAL REGULATION
FROM PROFESSIONAL REGULATION TRUST
FUND 1,127,644

2311 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 10,000

2312 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 1,000

2313 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 4,804

2314 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 17,929

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 3,606,433

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 3,606,433

FARM AND CHILD LABOR REGULATION

APPROVED SALARY RATE 1,055,370

2314A SALARIES AND BENEFITS POSITIONS 31.00
FROM PROFESSIONAL REGULATION TRUST
FUND 1,548,297

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2314B EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 162,990

2314C SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 20,590

2314D SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 69,400

2314E SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 23,670

2314F SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 12,264

TOTAL: FARM AND CHILD LABOR REGULATION
FROM TRUST FUNDS 1,837,211

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 1,837,211

PROGRAM: PARI-MUTUEL WAGERING

PARI-MUTUEL WAGERING

APPROVED SALARY RATE 2,732,697

2315 SALARIES AND BENEFITS POSITIONS 65.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 3,760,907

2316 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 1,761,166

From the funds in Specific Appropriation 2316, $64,670 shall be placed in reserve for the licensure and regulatory functions associated with quarter horse racetracks. Upon the licensure of additional quarter horse facilities, the Department of Business and Professional Regulation is authorized to submit budget amendments for the release of funds pursuant to chapter 216, Florida Statutes.

2317 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST
FUND 756,309

2318 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST
FUND 20,532

2319 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 24,802

From the funds provided in Specific Appropriation 2319, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2320 SPECIAL CATEGORIES
CONTRACTED SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

FROM PARI-MUTUEL WAGERING TRUST
FUND 7,317

2321 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 22,000

2322 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST
FUND 87,583

2323 SPECIAL CATEGORIES
RACING ANIMAL MEDICIAL RESEARCH
FROM PARI-MUTUEL WAGERING TRUST
FUND 100,000

2324 SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 2,266,000

2325 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 52,066

2326 SPECIAL CATEGORIES
CONTRACT FOR PARI-MUTUEL WAGERING
COMPLIANCE AND AUDIT SYSTEM
FROM PARI-MUTUEL WAGERING TRUST
FUND 296,476

TOTAL: PARI-MUTUEL WAGERING
FROM TRUST FUNDS 9,155,158

TOTAL POSITIONS 65.00
TOTAL ALL FUNDS 9,155,158

SLOT MACHINE REGULATION

APPROVED SALARY RATE 2,030,278

2327 SALARIES AND BENEFITS POSITIONS 48.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 2,859,284

2328 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,000

2329 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST
FUND 255,245

2330 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,863

2331 SPECIAL CATEGORIES
COMPULSIVE AND ADDICTIVE GAMBLING
PREVENTION CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 750,000

2332 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST
FUND 433,070

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2333 SPECIAL CATEGORIES
TRANSFER TO THE OFFICE OF THE STATE ATTORNEY - SLOT INVESTIGATIONS AND PROSECUTIONS
FROM PARI-MUTUEL WAGERING TRUST FUND 183,307

2334 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND 130,000

2335 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND 16,000

2336 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND 6,208

2337 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND 19,838

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS 4,673,815

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 4,673,815

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 11,034,402

2338 SALARIES AND BENEFITS POSITIONS 296.00
FROM HOTEL AND RESTAURANT TRUST FUND 15,338,934

2339 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND 6,200

2340 EXPENSES
FROM HOTEL AND RESTAURANT TRUST FUND 1,648,403

2341 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST FUND 8,500

2343 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND 607,149

2343A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST FUND 706,698

2344 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND 92,900

2345 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND 390,794

2346 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST FUND 191,407

2347 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST FUND 116,759

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 19,107,744

TOTAL POSITIONS 296.00
TOTAL ALL FUNDS 19,107,744

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 8,780,823

2348 SALARIES AND BENEFITS POSITIONS 190.75
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 12,012,559

2349 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 7,075

2350 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 1,541,309
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 34,330

2350A OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 54,670

2351 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 315,644

From the funds provided in Specific Appropriation 2351, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2352 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 78,044

2353 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 783,675

2354 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 747,644

2355 SPECIAL CATEGORIES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 221,556

2356 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 140,000

2357 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 77,246

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,013,752

TOTAL POSITIONS 190.75
TOTAL ALL FUNDS 16,013,752

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,474,144

2358 SALARIES AND BENEFITS POSITIONS 63.00
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 3,568,334

2359 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 800

2360 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 593,189

2361 OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 5,000

2362 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 17,733

2363 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 10,493

2364 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 3,120

2365 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 25,498

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 4,224,167

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 4,224,167

TAX COLLECTION

APPROVED SALARY RATE 3,320,676

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2366 SALARIES AND BENEFITS POSITIONS 87.00
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 4,674,519

2367 EXPENSES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 772,284

2368 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 21,180

2369 SPECIAL CATEGORIES
CIGARETTE TAX STAMPS
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 976,505

2370 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 17,654

2371 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND
TOBACCO TRUST FUND 35,292

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 6,497,434

TOTAL POSITIONS 87.00
TOTAL ALL FUNDS 6,497,434

PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 4,579,871

2372 SALARIES AND BENEFITS POSITIONS 118.00
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 6,330,489

2373 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 65,230

2374 EXPENSES
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 1,046,038

2375 OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 1,298

2376 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 17,500

2377 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA
CONDOMINIUMS, TIMESHARES AND
MOBILE HOMES TRUST FUND 47,678

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

2378 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND 47,073

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 7,555,306

TOTAL POSITIONS 118.00
TOTAL ALL FUNDS 7,555,306

TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF
FROM TRUST FUNDS 130,436,849

TOTAL POSITIONS 1,568.75
TOTAL ALL FUNDS 130,436,849
TOTAL APPROVED SALARY RATE 63,583,427

PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE 1,368,951

2379 SALARIES AND BENEFITS POSITIONS 21.00
FROM CITRUS ADVERTISING TRUST FUND . 1,748,489

2380 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 78,000

2381 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 1,011,896

2382 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND . 251,000

2383 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 9,920,494

2384 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 182,000

2385 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 9,283

TOTAL: CITRUS RESEARCH
FROM TRUST FUNDS 13,201,162

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 13,201,162

EXECUTIVE DIRECTION AND SUPPORT SERVICES

By September 1, 2010, the Department of Citrus shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chair of the Senate Policy and Steering Committee on Ways and Means and to the chair of the Full Appropriations Council on General Government and Health Care within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 1,662,965

2386 SALARIES AND BENEFITS POSITIONS 30.00
FROM CITRUS ADVERTISING TRUST FUND . 2,382,820

2387 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 78,000

2388 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 1,217,959

2389 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND . 119,779

2390 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 810,000

2391 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 75,000

2392 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS ADVERTISING TRUST FUND . 23,285

2393 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 14,186

2394 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM CITRUS ADVERTISING TRUST FUND . 8,000

2395 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM CITRUS ADVERTISING TRUST FUND . 3,972

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,733,001

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 4,733,001

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,364,065

2396 SALARIES AND BENEFITS POSITIONS 17.00
FROM CITRUS ADVERTISING TRUST FUND . 1,927,742

2397 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 17,000

2398 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND . 1,161,331

From the funds provided in Specific Appropriation 2398, 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.

2399 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND . 100,000

2400 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND . 45,695,526

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2401 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND . 8,306

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM TRUST FUNDS 48,909,905

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 48,909,905

TOTAL: PROGRAM: CITRUS, DEPARTMENT OF
FROM TRUST FUNDS 66,844,068

TOTAL POSITIONS 68.00
TOTAL ALL FUNDS 66,844,068
TOTAL APPROVED SALARY RATE 4,395,981

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 7,290,744

2402 SALARIES AND BENEFITS POSITIONS 164.50
FROM ADMINISTRATIVE TRUST FUND . . . 10,544,662

2403 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 111,201

2404 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,762,646

2405 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 30,066

2406 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 458,497
FROM ANTI-FRAUD TRUST FUND 19,100

2407 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 93,335

2408 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 72,230

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 13,091,737

TOTAL POSITIONS 164.50
TOTAL ALL FUNDS 13,091,737

LEGAL SERVICES

APPROVED SALARY RATE 4,385,614

2409 SALARIES AND BENEFITS POSITIONS 87.50
FROM ADMINISTRATIVE TRUST FUND . . . 5,851,409

2410 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 169,388

2411 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 931,443

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2412 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 3,639

2413 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 487,413

2414 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 163,306

2415 SPECIAL CATEGORIES
HOLOCAUST VICTIMS ASSISTANCE
ADMINISTRATION
FROM INSURANCE REGULATORY TRUST
FUND 308,007

2416 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 18,816

2417 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 36,317

TOTAL: LEGAL SERVICES
FROM TRUST FUNDS 7,969,738

TOTAL POSITIONS 87.50
TOTAL ALL FUNDS 7,969,738

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 6,205,700

2418 SALARIES AND BENEFITS POSITIONS 130.00
FROM ADMINISTRATIVE TRUST FUND . . . 8,448,374

2419 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 98,834

2420 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 3,280,839

2421 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 1,028,196

2422 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 4,474,986

2423 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 34,650

2424 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 54,071

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 17,419,950

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 17,419,950

CONSUMER ADVOCATE

APPROVED SALARY RATE 699,292

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2425 SALARIES AND BENEFITS POSITIONS 9.00
FROM INSURANCE REGULATORY TRUST
FUND 811,246

2426 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 95,229

2427 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 76,765

2428 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 5,000

2429 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 92,971

2430 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 1,144

2431 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 3,980

TOTAL: CONSUMER ADVOCATE
FROM TRUST FUNDS 1,086,335

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 1,086,335

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE 4,979,333

2432 SALARIES AND BENEFITS POSITIONS 111.00
FROM GENERAL REVENUE FUND 6,783,006
FROM ADMINISTRATIVE TRUST FUND . . . 53,000

2433 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 232,400

2434 EXPENSES
FROM GENERAL REVENUE FUND 1,945,863
FROM ADMINISTRATIVE TRUST FUND . . . 112,000

2435 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 190,794
FROM ADMINISTRATIVE TRUST FUND . . . 25,000

2436 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,668,816
FROM ADMINISTRATIVE TRUST FUND . . . 431,500

2437 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,319

2438 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 45,124

TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND 11,881,322
FROM TRUST FUNDS 621,500

TOTAL POSITIONS 111.00
TOTAL ALL FUNDS 12,502,822

PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE 1,043,608

2439 SALARIES AND BENEFITS POSITIONS 26.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,547,529

2440 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,500

2441 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 255,152

2442 OPERATING CAPITAL OUTLAY
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,783

2443 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 80,205

2444 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 64,104

2445 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 10,687

TOTAL: DEPOSIT SECURITY
FROM TRUST FUNDS 1,960,960

TOTAL POSITIONS 26.50
TOTAL ALL FUNDS 1,960,960

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE 1,183,429

2446 SALARIES AND BENEFITS POSITIONS 28.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,706,571

2447 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 17,500

2448 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 349,876

2449 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 848,785

2450 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 11,516

TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT
FROM TRUST FUNDS 2,934,248

TOTAL POSITIONS 28.50
TOTAL ALL FUNDS 2,934,248

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE 437,759

2451 SALARIES AND BENEFITS POSITIONS 12.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 648,861

2452 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 10,100

2453 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 110,786

2454 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 252

2454A SPECIAL CATEGORIES
DEFERRED COMPENSATION ADMINISTRATIVE
SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 1,050,000

2455 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 4,689

TOTAL: SUPPLEMENTAL RETIREMENT PLAN
FROM TRUST FUNDS 1,824,688

TOTAL POSITIONS 12.50
TOTAL ALL FUNDS 1,824,688

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING

APPROVED SALARY RATE 7,564,512

2456 SALARIES AND BENEFITS POSITIONS 162.00
FROM GENERAL REVENUE FUND 9,055,876
FROM ADMINISTRATIVE TRUST FUND . . . 1,121,712

2457 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 86,763

2458 EXPENSES
FROM GENERAL REVENUE FUND 1,196,096
FROM ADMINISTRATIVE TRUST FUND . . . 260,595

2459 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,000

2460 SPECIAL CATEGORIES
POSTCONVICTION CAPITAL COLLATERAL CASES -

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
REGISTRY ATTORNEYS
FROM ADMINISTRATIVE TRUST FUND . . . 1,716,384

2461 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 405,949

From the funds in Specific Appropriation 2461, up to $50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

2462 SPECIAL CATEGORIES
DEBT SERVICE - FLAIR ACCOUNTING AND CASH
MANAGEMENT SYSTEM REPLACEMENT
FROM INSURANCE REGULATORY TRUST
FUND 1,513,285

2463 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,004
FROM ADMINISTRATIVE TRUST FUND . . . 792

2464 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 700

2465 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 62,646
FROM ADMINISTRATIVE TRUST FUND . . . 4,800

2466 SPECIAL CATEGORIES
TRANSFER TO THE PRISON INDUSTRY
ENHANCEMENT (PIE) PROGRAM
FROM PRISON INDUSTRIES TRUST FUND . 750,000

Funds in Specific Appropriation 2466 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.

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING
FROM GENERAL REVENUE FUND 10,858,034
FROM TRUST FUNDS 5,367,568

TOTAL POSITIONS 162.00
TOTAL ALL FUNDS 16,225,602

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

APPROVED SALARY RATE 2,333,950

2467 SALARIES AND BENEFITS POSITIONS 60.00
FROM UNCLAIMED PROPERTY TRUST FUND . 2,919,769

2468 OTHER PERSONAL SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND . 180,000

2469 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND . 762,243

2470 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND . 7,500

2471 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND . 176,794

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2472 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM UNCLAIMED PROPERTY TRUST FUND . 8,842

2473 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM UNCLAIMED PROPERTY TRUST FUND . 24,823

TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY
FROM TRUST FUNDS 4,079,971

TOTAL POSITIONS 60.00
TOTAL ALL FUNDS 4,079,971

PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 2,708,788

2474 SALARIES AND BENEFITS POSITIONS 69.50
FROM INSURANCE REGULATORY TRUST
FUND 3,642,204

2475 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 15,339

2476 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 595,037

2477 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 9,144

2478 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 68,000

From the funds provided in Specific Appropriation 2478, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2479 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 18,405

2480 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 8,000

2481 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 27,973

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 4,384,102

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 4,384,102

FIRE AND ARSON INVESTIGATIONS

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 6,021,022

2482 SALARIES AND BENEFITS POSITIONS 128.00
FROM INSURANCE REGULATORY TRUST
FUND 8,462,023

2483 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 33,391

2484 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 1,572,131

Funds from Specific Appropriations 2484 and 2485, shall not be used by the Department of Financial Services for the purchase of assault-type weapons.

2485 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 82,409

2486 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 405,000

From the funds provided in Specific Appropriation 2486, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2487 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 155,374

2488 SPECIAL CATEGORIES
ON-CALL FEES
FROM INSURANCE REGULATORY TRUST
FUND 250,000

2489 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST
FUND 144,174

2490 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 5,000

2491 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 51,722

TOTAL: FIRE AND ARSON INVESTIGATIONS
FROM TRUST FUNDS 11,161,224

TOTAL POSITIONS 128.00
TOTAL ALL FUNDS 11,161,224

PROFESSIONAL TRAINING AND STANDARDS

APPROVED SALARY RATE 1,214,442

2492 SALARIES AND BENEFITS POSITIONS 32.00
FROM INSURANCE REGULATORY TRUST
FUND 1,778,574

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2493 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 240,000

2494 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 615,342

2495 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 23,294

2497 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 133,697

2498 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM INSURANCE REGULATORY TRUST
FUND 400,000

2499 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 17,500

2500 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 16,146

TOTAL: PROFESSIONAL TRAINING AND STANDARDS
FROM TRUST FUNDS 3,224,553

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 3,224,553

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

APPROVED SALARY RATE 851,168

2501 SALARIES AND BENEFITS POSITIONS 20.00
FROM INSURANCE REGULATORY TRUST
FUND 1,350,909

2502 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 9,102

2503 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 396,901

2504 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 12,000

2505 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 126,189

2506 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 280,945

2507 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST
FUND 7,500

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2508 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 8,972

TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES
FROM TRUST FUNDS 2,192,518

TOTAL POSITIONS 20.00
TOTAL ALL FUNDS 2,192,518

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

APPROVED SALARY RATE 3,911,341

2509 SALARIES AND BENEFITS POSITIONS 105.00
STATE RISK MANAGEMENT TRUST FUND . . 5,589,000

2510 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 35,000

2511 EXPENSES
STATE RISK MANAGEMENT TRUST FUND . . 890,587

2512 OPERATING CAPITAL OUTLAY
STATE RISK MANAGEMENT TRUST FUND . . 7,205

2513 SPECIAL CATEGORIES
CONTRACTED SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 16,243,951

2513A SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES - OFFICE OF THE
ATTORNEY GENERAL
STATE RISK MANAGEMENT TRUST FUND . . 4,302,284

2513B SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
STATE RISK MANAGEMENT TRUST FUND . . 21,401,020

2514 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
STATE RISK MANAGEMENT TRUST FUND . . 10,871,000

2515 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
STATE RISK MANAGEMENT TRUST FUND . . 99,252

2516 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
STATE RISK MANAGEMENT TRUST FUND . . 42,321

TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT
FROM TRUST FUNDS 59,481,620

TOTAL POSITIONS 105.00
TOTAL ALL FUNDS 59,481,620

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

APPROVED SALARY RATE 431,201

2517 SALARIES AND BENEFITS POSITIONS 7.00
FROM INSURANCE REGULATORY TRUST
FUND 587,128

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2518 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 45,691

2519 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 112,031

2520 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 1,120

2521 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 258,352

2522 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 12,900

2523 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 3,168

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS 1,020,390

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 1,020,390

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

APPROVED SALARY RATE 5,871,627

2524 SALARIES AND BENEFITS POSITIONS 159.00
FROM INSURANCE REGULATORY TRUST
FUND 7,829,073

2525 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 28,938

2526 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 992,409

2527 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 2,500

2528 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 46,750

From the funds provided in Specific Appropriation 2528, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2529 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 2,918,892

2530 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 127,968

2531 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 66,016

TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT
FROM TRUST FUNDS 12,012,546

TOTAL POSITIONS 159.00
TOTAL ALL FUNDS 12,012,546

INSURANCE FRAUD

APPROVED SALARY RATE 9,385,507

2532 SALARIES AND BENEFITS POSITIONS 196.00
FROM INSURANCE REGULATORY TRUST
FUND 12,758,628

2533 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 45,000

2534 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 2,035,321

Funds from Specific Appropriations 2534 and 2535, shall not be used by the Department of Financial Services for the purchase of assault-type weapons.

2535 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 1,700

2536 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST
FUND 297,000

From the funds provided in Specific Appropriation 2536, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2537 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF PIP FRAUD
FROM INSURANCE REGULATORY TRUST
FUND 1,251,257

Funds provided in Specific Appropriation 2537 from the Insurance Regulatory Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, and Broward counties. These funds may not be used for any purpose other than the funding of positions and activities that prosecute crimes of insurance fraud.

2538 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 214,617

2539 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 218,602

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2540 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND 216,256

2541 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND 81,432

TOTAL: INSURANCE FRAUD
FROM TRUST FUNDS 17,119,813

TOTAL POSITIONS 196.00
TOTAL ALL FUNDS 17,119,813

CONSUMER ASSISTANCE

APPROVED SALARY RATE 4,963,168

2542 SALARIES AND BENEFITS POSITIONS 123.50
FROM ADMINISTRATIVE TRUST FUND . . . 31,594
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 33,946
FROM INSURANCE REGULATORY TRUST FUND 6,188,164
FROM REGULATORY TRUST FUND 305,310

2543 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND 167,731

2544 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 16,463
FROM INSURANCE REGULATORY TRUST FUND 1,353,388
FROM REGULATORY TRUST FUND 23,655

2545 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND 2,200

2545A SPECIAL CATEGORIES
TRANSFER TO FLORIDA CATASTROPHIC STORM RISK MANAGEMENT CENTER AT FLORIDA STATE UNIVERSITY
FROM INSURANCE REGULATORY TRUST FUND 700,000

Funds in Specific Appropriation 2545A are provided to meet the requirements set forth in section 1004.647, Florida Statutes.

2546 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 120
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 355
FROM INSURANCE REGULATORY TRUST FUND 645,374
FROM REGULATORY TRUST FUND 2,766

2547 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND 62,599

2548 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 525
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 350
FROM INSURANCE REGULATORY TRUST FUND 49,947
FROM REGULATORY TRUST FUND 2,719

TOTAL: CONSUMER ASSISTANCE
FROM TRUST FUNDS 9,587,206

TOTAL POSITIONS 123.50
TOTAL ALL FUNDS 9,587,206

FUNERAL AND CEMETERY SERVICES

APPROVED SALARY RATE 1,032,727

2549 SALARIES AND BENEFITS POSITIONS 23.00
FROM REGULATORY TRUST FUND 1,409,690

2550 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 25,000

2551 EXPENSES
FROM REGULATORY TRUST FUND 406,884

2552 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 9,500

2553 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 149,425

2554 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 4,755

2555 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 15,387

TOTAL: FUNERAL AND CEMETERY SERVICES
FROM TRUST FUNDS 2,020,641

TOTAL POSITIONS 23.00
TOTAL ALL FUNDS 2,020,641

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

APPROVED SALARY RATE 12,926,823

2556 SALARIES AND BENEFITS POSITIONS 342.00
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 17,420,016
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 964,446

2557 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 237,570
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 17,550

2558 EXPENSES
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 3,671,520
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 129,150

2559 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 200,021

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 16,851

2560 SPECIAL CATEGORIES
TRANSFER TO DISTRICT COURTS OF APPEAL -
WORKERS' COMPENSATION APPEALS
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 1,994,090

Funds in Specific Appropriation 2560, are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.

2560A SPECIAL CATEGORIES
WORKERS' COMPENSATION RESEARCH INSTITUTE
STUDY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 195,000

2561 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF WORKERS'
COMPENSATION FRAUD
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 275,328

The funds provided in Specific Appropriation 2561, from the Workers' Compensation Administrative Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Eleventh Judicial Circuit for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of positions and activities that prosecute crimes of workers' compensation fraud.

2562 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 3,627,499
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 86,360

From the funds in Specific Appropriation 2562, the department may contract with a provider for analytical services for the identification of businesses operating in the state that are noncompliant with statutory workers' compensation requirements.

2563 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 225,714

2564 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 139,786
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 8,359

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS 29,209,260

TOTAL POSITIONS 342.00
TOTAL ALL FUNDS 29,209,260

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

From the funds in Specific Appropriations 2565 through 2574, the Office of Insurance Regulation shall submit a report that provides a detailed listing of all rate filings submitted during Fiscal Year 2009-2010 for personal lines property residential coverage. For each such filing, the report shall include: (1) the name of the company submitting the filing; (2) the date the filing was submitted to the Office of Insurance Regulation; (3) the overall rate change requested; (4) the name of the Office of Insurance Regulation actuary responsible for reviewing the filing; (5) the number of days from the date of the original submission to the final disposition of the rate filing; (6) whether the submitted filing was approved as submitted, approved at a different rate level, disapproved in its entirety, or found to be incomplete or withdrawn; (7) if a rate was approved, the overall rate level which was approved; (8) if the rate was denied; the specific basis for the denial; and (9) if a rate filing was withdrawn and resubmitted, it shall be identified as part of the initial rate filing for purposes of this report.

The report shall be submitted to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House of Representatives Full Appropriations Council on General Government and Health Care by September 1, 2010.

APPROVED SALARY RATE 11,976,851

2565 SALARIES AND BENEFITS POSITIONS 255.00
FROM INSURANCE REGULATORY TRUST
FUND 15,929,261

2566 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 150,000

2567 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 2,831,633

2568 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST
FUND 2,000

2569 SPECIAL CATEGORIES
FLORIDA PUBLIC HURRICANE LOSS MODEL -
OFFICE OF INSURANCE REGULATION
FROM INSURANCE REGULATORY TRUST
FUND 623,512

2570 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - PROPERTY
AND CASUALTY EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 4,651,763

2571 SPECIAL CATEGORIES
FINANCIAL EXAMINATION CONTRACTS - LIFE AND
HEALTH EXAMINATIONS
FROM INSURANCE REGULATORY TRUST
FUND 50,000

2572 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 728,016

2573 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST
FUND 121,462

2574 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 110,555

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM TRUST FUNDS 25,198,202

TOTAL POSITIONS 255.00
TOTAL ALL FUNDS 25,198,202

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,078,180

2575 SALARIES AND BENEFITS POSITIONS 35.00
FROM INSURANCE REGULATORY TRUST
FUND 2,665,811

2576 EXPENSES
FROM INSURANCE REGULATORY TRUST
FUND 144,469

2577 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST
FUND 117,710

2578 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST
FUND 15,449

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 2,943,439

TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 2,943,439

OFFICE OF FINANCIAL REGULATION

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 6,820,403

2579 SALARIES AND BENEFITS POSITIONS 118.00
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 8,845,474

2580 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 872,000

2581 EXPENSES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 1,804,731

2582 OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 7,130

2583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 367,012

2584 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 31,996

2585 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FINANCIAL INSTITUTIONS
REGULATORY TRUST FUND 52,551

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM
FROM TRUST FUNDS 11,980,894

TOTAL POSITIONS 118.00
TOTAL ALL FUNDS 11,980,894

FINANCIAL INVESTIGATIONS

APPROVED SALARY RATE 2,987,120

2586 SALARIES AND BENEFITS POSITIONS 64.00
FROM ADMINISTRATIVE TRUST FUND . . . 3,687,436

2587 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 5,321

2588 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 706,436
FROM FEDERAL LAW ENFORCEMENT TRUST
FUND 51,758

2589 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 10,600

2590 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 16,354

2591 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 17,353

2592 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 25,366

TOTAL: FINANCIAL INVESTIGATIONS
FROM TRUST FUNDS 4,520,624

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 4,520,624

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,845,597

2593 SALARIES AND BENEFITS POSITIONS 50.00
FROM ADMINISTRATIVE TRUST FUND . . . 3,616,017

From the funds provided in Specific Appropriations 2593 through 2597, one position with salary rate of 60,003 and $92,784 from the Administrative Trust Fund is provided for increased debt collection responsibilities pursuant to chapter 559, Florida Statutes. These funds are contingent upon House Bill 7233, or similar legislation pertaining to debt collection responsibilities, becoming law.

2594 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 438,247

2594A OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 1,000

2595 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 11,048

2596 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 13,286

2597 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 19,823

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,099,421

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 4,099,421

FINANCE REGULATION

APPROVED SALARY RATE 5,831,266

2598 SALARIES AND BENEFITS POSITIONS 130.00
FROM REGULATORY TRUST FUND 7,735,527

2599 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 300,000

2600 EXPENSES
FROM REGULATORY TRUST FUND 1,322,915

2601 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 5,631

2602 SPECIAL CATEGORIES
MORTGAGE BROKER EXAMAINATIONS - OFFICE OF
FINANCIAL REGULATION
FROM REGULATORY TRUST FUND 201,030

2603 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 3,141,565

2604 SPECIAL CATEGORIES
MONEY SERVICES BUSINESS EXAMINATIONS
FROM REGULATORY TRUST FUND 500,000

2605 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 30,368

2606 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 52,134

2607 DATA PROCESSING SERVICES
REGULATORY ENFORCEMENT AND LICENSING
SYSTEM - OFFICE OF FINANCIAL REGULATION
FROM REGULATORY TRUST FUND 2,178,703

2607A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM REGULATORY TRUST FUND 132,091

TOTAL: FINANCE REGULATION
FROM TRUST FUNDS 15,599,964

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 15,599,964

SECURITIES REGULATION

APPROVED SALARY RATE 4,118,792

2608 SALARIES AND BENEFITS POSITIONS 92.00
FROM REGULATORY TRUST FUND 5,628,277

2609 OTHER PERSONAL SERVICES
FROM ANTI-FRAUD TRUST FUND 61,730
FROM REGULATORY TRUST FUND 4,466

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
2610 EXPENSES
FROM ANTI-FRAUD TRUST FUND 187,885
FROM REGULATORY TRUST FUND 747,918

2611 OPERATING CAPITAL OUTLAY
FROM ANTI-FRAUD TRUST FUND 31,802
FROM REGULATORY TRUST FUND 4,566

2612 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ANTI-FRAUD TRUST FUND 215,049
FROM REGULATORY TRUST FUND 4,500

2613 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 24,132

2614 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 39,318

TOTAL: SECURITIES REGULATION
FROM TRUST FUNDS 6,949,643

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 6,949,643

TOTAL: FINANCIAL SERVICES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 22,739,356
FROM TRUST FUNDS 279,062,755

TOTAL POSITIONS 2,740.50
TOTAL ALL FUNDS 301,802,111
TOTAL APPROVED SALARY RATE 122,099,964

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

2615 SALARIES AND BENEFITS POSITIONS 116.00
FROM GENERAL REVENUE FUND 8,028,793
FROM GRANTS AND DONATIONS TRUST
FUND 214,711

2616 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR -
EXECUTIVE/ADMINISTRATION
FROM GENERAL REVENUE FUND 1,578,577
FROM GRANTS AND DONATIONS TRUST
FUND 488,236

2617 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR -
WASHINGTON OFFICE
FROM GENERAL REVENUE FUND 113,003

2618 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 475

2619 SPECIAL CATEGORIES
CONTINGENT - DISCRETIONARY
FROM GENERAL REVENUE FUND 29,244

2620 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 49,839
FROM GRANTS AND DONATIONS TRUST
FUND 8,577

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2621 SPECIAL CATEGORIES
CHILD ABUSE PREVENTION
FROM GENERAL REVENUE FUND 215,092

2622 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 51,904
FROM GRANTS AND DONATIONS TRUST
FUND 1,314

2623 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 75,349

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 10,142,276
FROM TRUST FUNDS 712,838

TOTAL POSITIONS 116.00
TOTAL ALL FUNDS 10,855,114

DRUG CONTROL COORDINATION

2624 SALARIES AND BENEFITS POSITIONS 7.00
FROM GENERAL REVENUE FUND 487,893

2625 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR -
EXECUTIVE/ADMINISTRATION
FROM GENERAL REVENUE FUND 63,410

2626 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,420

2627 SPECIAL CATEGORIES
ENFORCING UNDERAGE DRINKING LAWS - BLOCK
GRANT
FROM GRANTS AND DONATIONS TRUST
FUND 439,062

2628 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,441

TOTAL: DRUG CONTROL COORDINATION
FROM GENERAL REVENUE FUND 555,164
FROM TRUST FUNDS 439,062

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 994,226

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND
BUDGETING SUBSYSTEM

2629 SALARIES AND BENEFITS POSITIONS 48.00
FROM PLANNING AND BUDGETING SYSTEM
TRUST FUND 4,437,660

2630 LUMP SUM
LEGISLATIVE APPROPRIATION SYSTEM/PLANNING
AND BUDGETING SUBSYSTEM
FROM PLANNING AND BUDGETING SYSTEM
TRUST FUND 1,293,024

2631 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PLANNING AND BUDGETING SYSTEM
TRUST FUND 22,117

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2632 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PLANNING AND BUDGETING SYSTEM
TRUST FUND 17,886

2632A DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM PLANNING AND BUDGETING SYSTEM
TRUST FUND 10,729

TOTAL: LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND
BUDGETING SUBSYSTEM
FROM TRUST FUNDS 5,781,416

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 5,781,416

EXECUTIVE PLANNING AND BUDGETING

2633 SALARIES AND BENEFITS POSITIONS 105.00
FROM GENERAL REVENUE FUND 8,817,925

2634 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE
OF PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 447,806

2635 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 376

2636 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 42,804

2637 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 43,572

TOTAL: EXECUTIVE PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 9,352,483

TOTAL POSITIONS 105.00
TOTAL ALL FUNDS 9,352,483

FLORIDA ENERGY AND CLIMATE COMMISSION

2638 SALARIES AND BENEFITS POSITIONS 14.00
FROM GENERAL REVENUE FUND 710,759
FROM GRANTS AND DONATIONS TRUST
FUND 563,200

2639 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - FLORIDA
ENERGY AND CLIMATE COMMISSION
FROM GENERAL REVENUE FUND 90,286
FROM GRANTS AND DONATIONS TRUST
FUND 667,890

2640 SPECIAL CATEGORIES
SMART GRID TECHNOLOGIES - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 1,158,014

2641 SPECIAL CATEGORIES
GRANTS AND AIDS - ENERGY EFFICIENCY
CONSERVATION BLOCK GRANT - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009

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APPROPRIATION
FROM GRANTS AND DONATIONS TRUST
FUND 1,509,300

2643 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GRANTS AND DONATIONS TRUST
FUND 1,683

2644 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,194
FROM GRANTS AND DONATIONS TRUST
FUND 2,852

2644A FIXED CAPITAL OUTLAY
ECBG - ARRA SUNSHINE STATE BUILDING
INITIATIVE - DMS MGD
FROM GRANTS AND DONATIONS TRUST
FUND 7,624,672

2645 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - ENERGY CONSERVATION
BLOCK GRANT - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM GRANTS AND DONATIONS TRUST
FUND 1,236,277

2646 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 1,234,214

TOTAL: FLORIDA ENERGY AND CLIMATE COMMISSION
FROM GENERAL REVENUE FUND 802,239
FROM TRUST FUNDS 13,998,102

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 14,800,341

PROGRAM: OFFICE OF TOURISM, TRADE AND ECONOMIC
DEVELOPMENT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,282,876

2647 SALARIES AND BENEFITS POSITIONS 21.00
FROM GENERAL REVENUE FUND 709,574
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 479,822
FROM GRANTS AND DONATIONS TRUST
FUND 37
FROM TOURISM PROMOTION TRUST FUND . 450,909

2648 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE
OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT
FROM GENERAL REVENUE FUND 969,274
FROM ECONOMIC DEVELOPMENT
TRANSPORTATION TRUST FUND 300,000
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 102,512
FROM GRANTS AND DONATIONS TRUST
FUND 750
FROM TOURISM PROMOTION TRUST FUND . 111,840

2649 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19

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APPROPRIATION
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 981
FROM TOURISM PROMOTION TRUST FUND . 2,344

2650 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,478
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 2,733
FROM TOURISM PROMOTION TRUST FUND . 2,566

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 1,683,345
FROM TRUST FUNDS 1,454,494

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 3,137,839

ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS

2651 LUMP SUM
ECONOMIC DEVELOPMENT TOOLS
FROM GENERAL REVENUE FUND 13,253,978
FROM ECONOMIC DEVELOPMENT TRUST
FUND 3,313,495

From the funds provided in Specific Appropriation 2651, $500,000 in nonrecurring general revenue shall be provided to the Florida Manufacturing Extension Partnership for the purpose of leveraging federal and private resources for the support and delivery of services to the manufacturing community, which will provide economic stimulus through job creation and retention and assist Florida manufacturers to become more efficient and globally competitive.

From the funds in Specific Appropriation 2651, up to $20,000 from nonrecurring general revenue may be used for the Florida's Major Performing Arts Centers Task Force.

From the funds provided in Specific Appropriation 2651, $500,000 in nonrecurring general revenue shall be provided to the non-profit Disney Entrepreneur Center for the purposes of developing small business growth and opportunities.

From the funds provided in Specific Appropriation 2651, $12,233,978 in nonrecurring general revenue shall be for the Qualified Targeted Industries and Qualified Defense Contractors programs. 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 2651 represent local match funds.

2653 SPECIAL CATEGORIES
GRANTS AND AIDS - BLACK BUSINESS
INVESTMENT BOARD
FROM GENERAL REVENUE FUND 2,750,000

From the funds in Specific Appropriation 2653, $450,000 is provided to the Black Business Investment Board for operations and administration of the board, $50,000 is provided to the Office of Tourism, Trade and Economic Development for the administration of the Black Business Loan Program, and $2,250,000 is provided for the Black Business Loan Program.

2654 SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH
PROGRAM
FROM GENERAL REVENUE FUND 200,000

2656 SPECIAL CATEGORIES
QUICK ACTION CLOSING FUND
FROM GENERAL REVENUE FUND 1,000,000

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From the funds in Specific Appropriation 2656, the Office of Tourism, Trade and Economic Development, in conjunction with Enterprise Florida, is authorized to utilize funds to secure the relocation of non-profit biotech research projects.

2657A SPECIAL CATEGORIES
FLORIDA INTERNATIONAL UNIVERSITY DEMOCRACY CONFERENCE
FROM GENERAL REVENUE FUND 1,000,000

2658 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SMALL BUSINESS DEVELOPMENT CENTER NETWORK
FROM GENERAL REVENUE FUND 500,000

2659 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS
FROM GENERAL REVENUE FUND 800,000

Funds provided in Specific Appropriation 2659 shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA)..... 400,000
Southeast US/Japan & FLOR/KOR..... 200,000
Gateway Florida..... 200,000

2659A SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM GENERAL REVENUE FUND 1,625,000

Funds provided in Specific Appropriation 2659A shall be allocated as follows:

CAMACOL Film..... 150,000
Exponica International..... 500,000
Latin Chamber of Commerce of the United States..... 500,000
Urban Advantage, Miami-Dade..... 200,000
Florida Holocaust Museum..... 125,000
The Greater Caribbean Chamber of Commerce..... 50,000
United for a Sustainable America..... 100,000

2660 SPECIAL CATEGORIES
SUNSHINE STATE GAMES
FROM GENERAL REVENUE FUND 200,000

2661 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS FOUNDATION
FROM PROFESSIONAL SPORTS DEVELOPMENT TRUST FUND 2,500,000

Funds in Specific Appropriation 2661 shall not be expended on board meetings. No funds shall be expended on individual employee annual salaries that exceed $120,000.

2662 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA PROGRAM
FROM GENERAL REVENUE FUND 6,200,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 4,900,000

From the funds in Specific Appropriation 2662, $4,900,000 from the International Trade and Promotion Trust Fund shall be provided for International programs.

2663 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 2663 shall be allocated as follows:

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Military Base Protection..... 150,000
Defense Reinvestment..... 850,000

2664 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA COMMISSION ON TOURISM
FROM GENERAL REVENUE FUND 8,470,666
FROM TOURISM PROMOTION TRUST FUND . 18,177,295

Funds in Specific Appropriation 2664 shall not be expended on board meetings. No funds shall be expended on individual employee annual salaries that exceed $120,000.

2666 SPECIAL CATEGORIES
GRANTS AND AIDS - BROWNFIELDS REDEVELOPMENT PROJECT
FROM GENERAL REVENUE FUND 1,984,000
FROM ECONOMIC DEVELOPMENT TRUST FUND 496,000

2667 SPECIAL CATEGORIES
GRANTS AND AIDS - SPACE FLORIDA
FROM GENERAL REVENUE FUND 3,839,943

Funds in Specific Appropriation 2667 shall not be expended on board meetings. No funds shall be expended on individual employee annual salaries that exceed $120,000.

2668 SPECIAL CATEGORIES
RURAL COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 400,000
FROM ECONOMIC DEVELOPMENT TRUST FUND 900,000

2668A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE
FROM GENERAL REVENUE FUND 2,100,000

Funds provided in Specific Appropriation 2668A shall be allocated as follows:

Defense Infrastructure..... 1,000,000
Rural Infrastructure..... 1,100,000

2672 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND 20,000,000

From the funds in Specific Appropriation 2672, $7,500,000 shall be allocated for improvements to other launch complexes and space transportation facilities in order to attract new space vehicle testing and launch business to the state; to address intermodal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; to advance aerospace technology to meet the current and future needs of the United States commercial space transportation industry; and to assist in the development of joint-use facilities and technology that support aviation and aerospace operations, including high altitude and suborbital flights and range technology development.

A portion of the funds in Specific Appropriation 2672 shall be allocated as follows:

NW 47th Avenue Improvements, City of Lauderhill..... 300,000
13th Street Improvements, City of Riviera Beach..... 500,000
Spanish River Boulevard/I-95 Project, City of Boca Raton.... 1,000,000
St. Johns Heritage/Palm Bay Parkway Construction, City of Palm Bay..... 4,000,000
Turkey Creek Road Improvements/Hillsborough County Industrial Park..... 1,000,000

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From the funds in Specific Appropriation 2672, $2,000,000 shall be used to fund a transportation improvement project at an airport as defined in section 339.63(4), Florida Statutes.

All other funds in Specific Appropriation 2672, shall be allocated for urban redevelopment infrastructure projects, economic development transportation projects, and other economic development projects.

TOTAL: ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS
FROM GENERAL REVENUE FUND 45,323,587
FROM TRUST FUNDS 50,286,790

TOTAL ALL FUNDS 95,610,377

PROGRAM: AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

From funds in Specific Appropriations 2673 through 2679, the Agency for Enterprise Information Technology (AEIT) shall work with the primary data centers to facilitate and coordinate the development of transition plans of all agencies required to relocate and consolidate computing services and associated resources, as defined in section 282.201(2), Florida Statutes, into a primary data center.

The AEIT shall facilitate and coordinate the transition planning for the consolidation of data center service functions of the Department of Highway Safety and Motor Vehicles and the Agency for Health Care Administration, including the development of cost benefit analyses that compares the costs and savings estimates, on a statewide basis, for the respective departments at both the Southwood Shared Resource Center (SSRC) and the Northwood Shared Resource Center (NSRC) to determine the most cost effective transfer destinations for their computing services function.

By August 15, 2010, the AEIT shall provide a format with common information requirements to each agency required to develop a transition plan for consolidating computing services and resources into a primary data center.

The AEIT shall form workgroups consisting of staff with appropriate areas of expertise from affected agencies and the primary data centers, including but not limited to budget and technical expertise, for the purpose of developing the transition plans for each transfer. The transition plans shall include costs and savings estimates; an inventory of resources, including staff and contract services, to be transferred and those to remain in the department; the budget associated with the costs of the department's current computing services; the necessary budget adjustments required to accomplish the consolidation; and a timetable with significant milestones for the completion of the relocation.

The transition plans for consolidation of the department resources into the respective primary data centers shall be based upon the completion of the consolidations by the following schedule:

To the Northwest Regional Data Center (NWRDC):
Department of Education by December 31, 2011
College Center for Library Automation by December 31, 2011
Florida Center for Library Automation by December 31, 2011

To the NSRC or the SSRC:
Agency for Health Care Administration by June 30, 2012
Department of Highway Safety and Motor Vehicles by December 31, 2011

To the SSRC:
Department of Transportation Burns Office Building into SSRC by March 31, 2012
Department of Transportation Survey and Mapping Office into SSRC by March 31, 2012

To the NSRC:
Department of Juvenile Justice by July 1, 2010

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Department of Business and Professional Regulation by November 30, 2010
Department of Children and Families' Winewood Office Complex by July 1, 2011
Department of Corrections by June 30, 2012

Department of Transportation's Motor Carrier Compliance Office by July 1, 2011

The AEIT shall provide written quarterly reports on the progress toward implementing the data center consolidation transition plans to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on General Government and Health Care, and the Senate Policy and Steering Committee on Ways and Means with the first update report due September 30, 2011.

APPROVED SALARY RATE 992,584

2673 SALARIES AND BENEFITS POSITIONS 14.00
FROM GENERAL REVENUE FUND 1,262,285

2674 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,000

2675 EXPENSES
FROM GENERAL REVENUE FUND 91,134

2676 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 9,000

2677 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000

2678 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,456

2679 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,068

TOTAL: AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 1,367,943

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,367,943

TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE
FROM GENERAL REVENUE FUND 69,227,037
FROM TRUST FUNDS 72,672,702

TOTAL POSITIONS 325.00
TOTAL ALL FUNDS 141,899,739
TOTAL APPROVED SALARY RATE 2,275,460

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,969,450

2680 SALARIES AND BENEFITS POSITIONS 219.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND 12,327,909
FROM LAW ENFORCEMENT TRUST FUND . . 144,337

2681 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND 89,196
FROM FEDERAL GRANTS TRUST FUND . . . 50,000

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2682 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 925,984
FROM LAW ENFORCEMENT TRUST FUND . . 7,516

2683 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 125,478

2684 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 190,542

2685 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,323,893

2687 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 213,084

2688 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 84,169

2689 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,962,357

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 17,444,465

TOTAL POSITIONS 219.00
TOTAL ALL FUNDS 17,444,465

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE 99,929,943

2691 SALARIES AND BENEFITS POSITIONS 2,211.00
FROM GENERAL REVENUE FUND 15,000,000
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 132,516,364
FROM FEDERAL GRANTS TRUST FUND . . . 531,308
FROM GAS TAX COLLECTION TRUST FUND . 262,476
FROM LAW ENFORCEMENT TRUST FUND . . 371,589

2692 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 10,748,904
FROM FEDERAL GRANTS TRUST FUND . . . 553,000
FROM LAW ENFORCEMENT TRUST FUND . . 69,000

2693 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 7,654,438
FROM FEDERAL GRANTS TRUST FUND . . . 793,726
FROM LAW ENFORCEMENT TRUST FUND . . 65,475
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 185,923

2694 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 428,505

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FROM FEDERAL GRANTS TRUST FUND . . . 497,410
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 252,572

2695 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,867,965

2696 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL COMMUNICATION SYSTEMS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,500,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 1,354,103

2697 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,028,747
FROM LAW ENFORCEMENT TRUST FUND . . 50,000

2698 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 12,514,517
FROM FEDERAL GRANTS TRUST FUND . . . 20,250
FROM LAW ENFORCEMENT TRUST FUND . . 856,801

2699 SPECIAL CATEGORIES
AUXILLIARY UNIFORMS AND EQUIPMENT
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 138,238

2700 SPECIAL CATEGORIES
PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS
FROM HIGHWAY PATROL INSURANCE
TRUST FUND 325,995

2701 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 3,532,032

2702 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,397,348
FROM FEDERAL GRANTS TRUST FUND . . . 15,600

2703 SPECIAL CATEGORIES
TRANSFER TO HIGHWAY PATROL INSURANCE TRUST FUND
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 325,995

2704 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,219,213

2705 SPECIAL CATEGORIES
MOBILE DATA TERMINAL SYSTEM
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,348,410

TOTAL: HIGHWAY SAFETY
FROM GENERAL REVENUE FUND 15,000,000
FROM TRUST FUNDS 185,425,904

TOTAL POSITIONS 2,211.00
TOTAL ALL FUNDS 200,425,904

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,808,376

2707 SALARIES AND BENEFITS POSITIONS 27.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,479,890

2708 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 260,735

2709 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 8,000

2710 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 19,838

2711 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 4,135

2712 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 7,790

2713 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 49,392

2714 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 20,315

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 2,850,095

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,850,095

PROGRAM: LICENSES, TITLES AND REGULATIONS

DRIVER LICENSURE

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 with regard to any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the following Driver License Offices: Lake City (D01), North Melbourne (H05), Cape Coral (N02), and Palatka (F06).

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after July 31, 2010, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Orange Park (E09) Driver License Office.

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after September 30, 2010, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Fort Walton Beach (A07) Driver License Office.

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after November 30, 2010, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Clewiston (N05) Driver License Office.

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after February 28, 2011, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Lake Wales (L03) Driver License Office and the Crystal River (L09) Driver License Office.

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after March 31, 2011, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Bradenton (M01) Driver License Office.

No funds are provided in Specific Appropriations 2715 through 2725 for Fiscal Year 2010-2011 to make payments for the use of the properties after May 31, 2011, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the Vero Beach (H06) Driver License Office.

APPROVED SALARY RATE 33,522,335

2715 SALARIES AND BENEFITS POSITIONS 1,154.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 47,490,132
FROM FEDERAL GRANTS TRUST FUND . . . 208,685

2716 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 413,473
FROM FEDERAL GRANTS TRUST FUND . . . 220,374

2717 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 8,465,349
FROM FEDERAL GRANTS TRUST FUND . . . 138,223

From the funds provided in Specific Appropriation 2717, up to $125,000 from the Highway Safety Operating Trust Fund may be used by the Department of Highway Safety and Motor Vehicles to print the Official Florida Driver Handbook for calendar year 2011, which shall not contain commercial advertisements.

2718 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 103,238
FROM FEDERAL GRANTS TRUST FUND . . . 106,856

2719 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,796,617
FROM FEDERAL GRANTS TRUST FUND . . . 774,726

2719A SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 6,711,326

2720 SPECIAL CATEGORIES
AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 913,905

2721 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 3,089,704

2722 SPECIAL CATEGORIES
PURCHASE OF DRIVER LICENSES
FROM HIGHWAY SAFETY OPERATING

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TRUST FUND 11,788,304

2723 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,500,406

2724 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 152,275

2725 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY
ADMINISTRATION AND FLORIDA DEPARTMENT OF
LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,371,000

TOTAL: DRIVER LICENSURE
FROM TRUST FUNDS 85,244,593

TOTAL POSITIONS 1,154.00
TOTAL ALL FUNDS 85,244,593

MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE

APPROVED SALARY RATE 1,315,776

2727 SALARIES AND BENEFITS POSITIONS 50.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,004,930

2728 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 273,104

2729 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 5,150

2730 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 63,449

TOTAL: MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE
FROM TRUST FUNDS 2,346,633

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 2,346,633

IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS

APPROVED SALARY RATE 6,613,001

2731 SALARIES AND BENEFITS POSITIONS 207.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 9,480,767

2732 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 324,881
FROM FEDERAL GRANTS TRUST FUND . . . 700,917

2733 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 724,929
FROM FEDERAL GRANTS TRUST FUND . . . 1,039,862

2734 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 17,680

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APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND . . . 405,428

2735 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 443,874

From the funds in Specific Appropriation 2735, nonrecurring funds in the amount of $250,000 are for the purpose of promoting motorcycle safety awareness through public information and education campaigns. These funds are provided to the American Bikers Aiming Toward Education of Florida, Inc. The American Bikers Aiming Toward Education of Florida, Inc. is required to provide an independent program audit to the Department of Highway Safety and Motor Vehicles to ensure that these funds were utilized to enhance motorcycle safety education. The expense of this required independent program audit may be funded from a portion of the funds provided.

2736 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 255,040

TOTAL: IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS
FROM TRUST FUNDS 13,393,378

TOTAL POSITIONS 207.00
TOTAL ALL FUNDS 13,393,378

MOBILE HOME COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 943,680

2737 SALARIES AND BENEFITS POSITIONS 26.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,276,703

2738 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 145,444

2739 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 10,000

2740 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,403

2741 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 15,469

TOTAL: MOBILE HOME COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 1,450,019

TOTAL POSITIONS 26.00
TOTAL ALL FUNDS 1,450,019

VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES

APPROVED SALARY RATE 11,256,101

2742 SALARIES AND BENEFITS POSITIONS 367.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 13,054,424
FROM GAS TAX COLLECTION TRUST FUND . 2,907,089

2743 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 122,706
FROM FEDERAL GRANTS TRUST FUND . . . 84,814

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM GAS TAX COLLECTION TRUST FUND . 11,438

2744 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 3,043,232
FROM FEDERAL GRANTS TRUST FUND . . . 200,534
FROM GAS TAX COLLECTION TRUST FUND . 341,949

2745 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 34,531
FROM FEDERAL GRANTS TRUST FUND . . . 80,000
FROM GAS TAX COLLECTION TRUST FUND . 5,001

2746 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 609,087
FROM FEDERAL GRANTS TRUST FUND . . . 296,982
FROM GAS TAX COLLECTION TRUST FUND . 3,040

2747 SPECIAL CATEGORIES
SETTLEMENT AGREEMENT - DEPARTMENT OF
HIGHWAY SAFETY AND MOTOR VEHICLES VS U.S.
DEPARTMENT OF JUSTICE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,514,915

2748 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 3,209,750

2749 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASE OF LICENSE
PLATES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 6,575,197

2750 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 191,576
FROM GAS TAX COLLECTION TRUST FUND . 38,672

2751 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 86,311

2752 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY
ADMINISTRATION AND FLORIDA DEPARTMENT OF
LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 161,656

TOTAL: VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES
FROM TRUST FUNDS 32,572,904

TOTAL POSITIONS 367.00
TOTAL ALL FUNDS 32,572,904

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,798,732

2753 SALARIES AND BENEFITS POSITIONS 31.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,419,314

2754 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 36,863

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APPROPRIATION
2755 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 168,322

2756 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 69,417

2757 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 4,659

2758 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 30,777

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 2,729,352

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 2,729,352

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

From the funds in Specific Appropriations 2759 through 2767 the Department of Highway Safety & Motor Vehicles shall develop and submit a transition plan by October 1, 2010, to the Executive Office of the Governor and to the chairs of the Full Appropriations Council on Education and Economic Development and the Senate Policy and Steering Committee on Ways and Means for relocation and consolidation of its computing services and associated resources from the Kirkman Data Center into a state primary data center by December 31, 2011, pursuant to section 282.201(2)(d)1.e., Florida Statutes. The plan shall be in accordance with requirements of the Agency for Enterprise Information Technology (AEIT), consistent with applicable federal guidelines, including a recommendation identifying the state primary data center where the department proposes to transfer its data center service functions, based upon the results of a cost benefit analysis coordinated with the AEIT.

The department shall work with the AEIT and the state primary data centers in developing the plan that shall, at a minimum, include an inventory of all resources, including but not limited to, all computing equipment; a description of resources for computing services proposed to remain in the department; the budget, full time personnel, and contracted services associated with the costs of its current computing services; the necessary budget adjustments required to accomplish the transfer of computing resources; and a timetable with significant milestones for the completion of the relocation and consolidation.

By September 1, 2010, the Department of Highway Safety & Motor Vehicles shall execute a service level agreement, pursuant to s. 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center. If the department does not complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on Education and Economic Development and the Senate Policy and Steering Committee on Ways and Means within five working days explaining the specific issues preventing execution, and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 7,680,860

2759 SALARIES AND BENEFITS POSITIONS 175.00
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 10,296,238

2760 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION
TRUST FUND 262,740

2761 EXPENSES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 4,861,561
FROM GAS TAX COLLECTION TRUST FUND . 213,265
FROM LAW ENFORCEMENT TRUST FUND . . 3,752

2762 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 331,931

2763 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 2,014,334
FROM GAS TAX COLLECTION TRUST FUND . 17,333

2764 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 190,567

2765 SPECIAL CATEGORIES
TAX COLLECTOR NETWORK - COUNTY SYSTEMS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 5,570,216

2766 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 3,239,974

2767 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM HIGHWAY SAFETY OPERATING
TRUST FUND 1,583,901

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 28,585,812

TOTAL POSITIONS 175.00
TOTAL ALL FUNDS 28,585,812

TOTAL: HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 15,000,000
FROM TRUST FUNDS 372,043,155

TOTAL POSITIONS 4,467.00
TOTAL ALL FUNDS 387,043,155
TOTAL APPROVED SALARY RATE 173,838,254

LEGISLATIVE BRANCH

SENATE

2768 LUMP SUM
SENATE
FROM GENERAL REVENUE FUND 35,572,381

HOUSE OF REPRESENTATIVES

2769 LUMP SUM
HOUSE
FROM GENERAL REVENUE FUND 55,152,061

LEGISLATIVE SUPPORT SERVICES

2771 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - SENATE
FROM GENERAL REVENUE FUND 22,658,954
FROM GRANTS AND DONATIONS TRUST
FUND 999,567
FROM LEGISLATIVE LOBBYIST
REGISTRATION TRUST FUND 400,720

2772 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - HOUSE
FROM GENERAL REVENUE FUND 22,154,990
FROM GRANTS AND DONATIONS TRUST
FUND 950,883
FROM LEGISLATIVE LOBBYIST
REGISTRATION TRUST FUND 393,295

2773 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 307,568
FROM LEGISLATIVE LOBBYIST
REGISTRATION TRUST FUND 312

TOTAL: LEGISLATIVE SUPPORT SERVICES
FROM GENERAL REVENUE FUND 45,121,512
FROM TRUST FUNDS 2,744,777

TOTAL ALL FUNDS 47,866,289

ADMINISTRATIVE PROCEDURES COMMITTEE

2774 LUMP SUM
ADMINISTRATIVE PROCEDURES
FROM GENERAL REVENUE FUND 1,242,328

2775 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,352

TOTAL: ADMINISTRATIVE PROCEDURES COMMITTEE
FROM GENERAL REVENUE FUND 1,243,680

TOTAL ALL FUNDS 1,243,680

TECHNOLOGY REVIEW WORKGROUP

2777A LUMP SUM
TECHNOLOGY REVIEW WORKGROUP
FROM GENERAL REVENUE FUND 807,055

OFFICE OF PUBLIC COUNSEL

2778 LUMP SUM
PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,523,083

2779 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 43,085

TOTAL: OFFICE OF PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,566,168

TOTAL ALL FUNDS 2,566,168

ETHICS, COMMISSION ON

2780 LUMP SUM
LOBBY REGISTRATION
FROM EXECUTIVE BRANCH LOBBY
REGISTRATION TRUST FUND 715,652

2781 LUMP SUM
ETHICS COMMISSION
FROM GENERAL REVENUE FUND 2,255,054

2782 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 76,982

SECTION 6 - GENERAL GOVERNMENT
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2783 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,412
FROM EXECUTIVE BRANCH LOBBY
REGISTRATION TRUST FUND 208

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,334,448
FROM TRUST FUNDS 715,860

TOTAL ALL FUNDS 3,050,308

PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF

2785 LUMP SUM
PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY
FROM GENERAL REVENUE FUND 5,484,734

2786 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 8,427

TOTAL: PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF
FROM GENERAL REVENUE FUND 5,493,161

TOTAL ALL FUNDS 5,493,161

AUDITOR GENERAL

2787 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 33,771,442

2788 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 79,722

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 33,851,164

TOTAL ALL FUNDS 33,851,164

AUDITING COMMITTEE

2789 LUMP SUM
AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 348,407

2790 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 416

TOTAL: AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 348,823

TOTAL ALL FUNDS 348,823

TOTAL: LEGISLATIVE BRANCH
FROM GENERAL REVENUE FUND 182,490,453
FROM TRUST FUNDS 3,460,637

TOTAL ALL FUNDS 185,951,090

LOTTERY, DEPARTMENT OF THE

By September 1, 2010, the Department of Lottery shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's planned schedule for resolving those issues.

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 18,160,415

2791 SALARIES AND BENEFITS POSITIONS 437.00
FROM OPERATING TRUST FUND 26,638,459

2792 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 289,796

2793 EXPENSES
FROM OPERATING TRUST FUND 6,279,074

2794 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 121,000

2795 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 129,668

From the funds provided in Specific Appropriation 2795, the department may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2796 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 3,028,717

2797 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM OPERATING TRUST FUND 30,900,000

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2797, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2798 SPECIAL CATEGORIES
ADVERTISING AGENCY FEES
FROM OPERATING TRUST FUND 3,156,945

2799 SPECIAL CATEGORIES
COMPULSIVE GAMBLING PROGRAM
FROM OPERATING TRUST FUND 1,119,000

From the funds provided in Specific Appropriation 2799, the Department of the Lottery shall contract with an appropriate Florida organization to conduct a compulsive gambling program.

2800 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM OPERATING TRUST FUND 30,593,508

From the funds provided in Specific Appropriation 2800, the Department of the Lottery shall not expend in excess of $200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

From the funds provided in Specific Appropriation 2800, the department shall not expend in excess of $650,000 for services provided in accordance with the "Agreement for Production Services and Related Commodities and Services" contract executed by the department on December 30, 2009.

2801 SPECIAL CATEGORIES

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ONLINE GAMES CONTRACT
FROM OPERATING TRUST FUND 25,390,321

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2801 in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2801 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

2802 SPECIAL CATEGORIES
LOTTERY INSTANT TICKET VENDING MACHINES
FROM OPERATING TRUST FUND 4,887,000

From the funds provided in Specific Appropriation 2802, the department shall not purchase an instant ticket vending machine or expend in excess of $329 per month for each instant ticket vending machine by means of a lease agreement.

From the funds provided in Specific Appropriation 2802, the department shall report the net amount of ticket sale revenue generated by each instant ticket vending machine, and in total for all machines. The report shall include the amount of instant ticket vending machine revenue that replaced the amount of counter ticket sale revenue. The report shall be provided to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee on a quarterly basis. The first report shall be due on July 31, 2010, for ticket sale activity for the period April 1, 2010, through June 30, 2010, and for each quarter thereafter.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2802, to acquire up to 750 additional instant ticket vending machines. Prior to the submission of any budget amendment that increases the number of instant ticket vending machines leased, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines and generate additional revenue that benefits the state. The budget amendment will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies a plan for distribution of the additional machines.

2803 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM OPERATING TRUST FUND 1,750,000

2804 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 305,938

2805 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 16,060

2805A SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 120,000

2806 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM OPERATING TRUST FUND 175,249

2807 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 35,346

TOTAL: PROGRAM: LOTTERY OPERATIONS
FROM TRUST FUNDS 134,936,081

TOTAL POSITIONS 437.00
TOTAL ALL FUNDS 134,936,081

TOTAL: LOTTERY, DEPARTMENT OF THE
FROM TRUST FUNDS 134,936,081

TOTAL POSITIONS 437.00
TOTAL ALL FUNDS 134,936,081
TOTAL APPROVED SALARY RATE 18,160,415

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

By September 1, 2010, the Department of Management Services shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 3,834,504

2808 SALARIES AND BENEFITS POSITIONS 74.00
FROM GENERAL REVENUE FUND 151,535
FROM ADMINISTRATIVE TRUST FUND . . . 5,117,982

2809 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 38,329

2810 EXPENSES
FROM GENERAL REVENUE FUND 45,652
FROM ADMINISTRATIVE TRUST FUND . . . 904,149

2811 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 9,688

2812 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ADMINISTRATIVE TRUST FUND . . . 8,932

2813 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 81,200
FROM ADMINISTRATIVE TRUST FUND . . . 102,700

2814 SPECIAL CATEGORIES
MAIL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 113,424

2815 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 98
FROM ADMINISTRATIVE TRUST FUND . . . 36,185

2816 SPECIAL CATEGORIES

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APPROPRIATION
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM ADMINISTRATIVE TRUST FUND . . . 15,380

2817 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 922
FROM ADMINISTRATIVE TRUST FUND . . . 36,696

2818 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 38,800
FROM ADMINISTRATIVE TRUST FUND . . . 703,814

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 318,207
FROM TRUST FUNDS 7,087,279

TOTAL POSITIONS 74.00
TOTAL ALL FUNDS 7,405,486

STATE EMPLOYEE LEASING

APPROVED SALARY RATE 261,344

2819 SALARIES AND BENEFITS POSITIONS 4.00
FROM ADMINISTRATIVE TRUST FUND . . . 429,450

2820 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 1,907

TOTAL: STATE EMPLOYEE LEASING
FROM TRUST FUNDS 431,357

TOTAL POSITIONS 4.00
TOTAL ALL FUNDS 431,357

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE 9,241,999

2821 SALARIES AND BENEFITS POSITIONS 292.50
FROM SUPERVISION TRUST FUND 12,941,302

2822 OTHER PERSONAL SERVICES
FROM SUPERVISION TRUST FUND 17,000

2823 EXPENSES
FROM SUPERVISION TRUST FUND 4,779,271

2823A AID TO LOCAL GOVERNMENTS
GRANT AND AIDS - DEBT SERVICE PAYMENT
FROM GENERAL REVENUE FUND 4,500,000

2824 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND 73,727

2825 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - CAPITOL POLICE
FROM SUPERVISION TRUST FUND 6,005,291

2826 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SUPERVISION TRUST FUND 8,716,910

2827 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND 1,148,387

2828 SPECIAL CATEGORIES
INTERIOR REFURBISHMENT - LEASE SPACE
FROM SUPERVISION TRUST FUND 1,390,145

2829 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM OPERATING TRUST FUND 479,367

From the funds provided in Specific Appropriation 2829, $479,367 shall be placed in reserve until the department submits to the chair of the Senate Committee on General Government Appropriations and the chair of the House Government Operations Appropriations Committee an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2830 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 173,313

2831 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 20,237,853

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2831, in the event utility costs exceed the amount of budget authority appropriated.

2832 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM SUPERVISION TRUST FUND 1,197,558

2833 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 115,458

2834 SPECIAL CATEGORIES
STATE CAPITOL - MAINTENANCE AND REPAIRS
FROM SUPERVISION TRUST FUND 50,000

2835 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM SUPERVISION TRUST FUND 169,243

2836 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM SUPERVISION TRUST FUND 872,200

2837 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM SUPERVISION TRUST FUND 5,766,670

Funds provided in Specific Appropriation 2837, are for projects identified in the Department of Management Services' Capital Improvements Plan submitted October 2009 to the Executive Office of the Governor and Legislature. The department may only depart from this plan when there is an unforeseen circumstance involving a

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
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building, facility grounds, or parking garage that effects facility code compliance; life safety or environment deficiencies; Americans with Disabilities Act compliance; mechanical, component or structural failures; or impacts a building's operations, integrity or habitability. In the event the department receives reimbursement for any of the projects in the plan, or if actual project costs are lower than the estimated costs shown in the plan, the department may use the funds to address deferred projects or projects that allow for additional occupancy of any non-occupied space that may exist in the Florida Facilities Pool.

2837A FIXED CAPITAL OUTLAY
OLD CAPITOL RENOVATION - DMS MGD
FROM GENERAL REVENUE FUND 490,000

2838 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM GENERAL REVENUE FUND 2,376,421
FROM FLORIDA FACILITIES POOL
CLEARING TRUST FUND 32,514,399
FROM PUBLIC FACILITIES FINANCING
TRUST FUND 3,349,716

From the funds provided in Specific Appropriation 2838, the amount of $2,491,512 from the Florida Facilities Pool Clearing Trust Fund is provided to the Department of Management Services to satisfy debt service requirements on bond proceeds for the First District Court of Appeals facility as authorized by the Legislature in section 64 of chapter 2007-196, Laws of Florida.

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 7,366,421
FROM TRUST FUNDS 99,997,810

TOTAL POSITIONS 292.50
TOTAL ALL FUNDS 107,364,231

BUILDING CONSTRUCTION

Funds provided in Specific Appropriations 2839 through 2844 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 2010-2011 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 528,835

2839 SALARIES AND BENEFITS POSITIONS 10.00
FROM ARCHITECTS INCIDENTAL TRUST
FUND 730,150

2840 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 222,943

2841 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST
FUND 46,341

2842 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST
FUND 19,449

2843 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST
FUND 4,228

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APPROPRIATION

2844 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM ARCHITECTS INCIDENTAL TRUST
FUND 21,150

2845 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 1,744,261

TOTAL POSITIONS 10.00
TOTAL ALL FUNDS 1,744,261

PROGRAM: SUPPORT PROGRAM

AIRCRAFT MANAGEMENT

APPROVED SALARY RATE 546,765

2846 SALARIES AND BENEFITS POSITIONS 11.00
FROM GENERAL REVENUE FUND 763,694

2847 EXPENSES
FROM GENERAL REVENUE FUND 157,406
FROM BUREAU OF AIRCRAFT TRUST FUND . 629,764

2848 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 105,322

2849 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,589

2850 SPECIAL CATEGORIES
SPECIAL CATEGORIES- AIRCRAFT MAINTENANCE
AND REPAIRS
FROM GENERAL REVENUE FUND 99,000

2851 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 109,297

2852 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 531,750

2853 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,564

2854 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 6,175

TOTAL: AIRCRAFT MANAGEMENT
FROM GENERAL REVENUE FUND 1,779,797
FROM TRUST FUNDS 629,764

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 2,409,561

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE 141,876

2855 SALARIES AND BENEFITS POSITIONS 5.00
FROM SURPLUS PROPERTY REVOLVING

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TRUST FUND 241,503

2856 EXPENSES
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 63,679

2857 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 6,379

2858 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 1,139

2859 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 1,921

2860 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM SURPLUS PROPERTY REVOLVING
TRUST FUND 4,804

TOTAL: FEDERAL PROPERTY ASSISTANCE
FROM TRUST FUNDS 319,425

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 319,425

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE 354,193

2861 SALARIES AND BENEFITS POSITIONS 7.00
FROM OPERATING TRUST FUND 573,308

2862 EXPENSES
FROM OPERATING TRUST FUND 141,148

2863 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 232

2864 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 832

2865 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 3,460

2866 SPECIAL CATEGORIES
PAYMENT OF EXPENSES FROM SALE OF AGENCY
VEHICLES
FROM OPERATING TRUST FUND 750,000

2867 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 296,861

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,765,841

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 1,765,841

PURCHASING OVERSIGHT

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE 2,818,168

2868 SALARIES AND BENEFITS POSITIONS 57.00
FROM GENERAL REVENUE FUND 917,273
FROM OPERATING TRUST FUND 2,929,909

To improve vendor oversight and contract management, the department shall ensure that private prisons resolve any violations cited by the Department of Corrections related to security, infirmary, and contraband operations audits. The department must, through attrition of staff, hire managers and contract monitors with adult corrections expertise. The department must provide relevant training as recommended by the Department of Corrections to all current and future staff responsible for overseeing the private prisons, including training in prison safety and security procedures, inmate manipulation resistance, defensive tactics, and contraband detection and control.

The Division of Purchasing shall submit a business case plan as defined in section 287.054, Florida Statutes, for the competitive solicitation of the state purchasing system, MyFloridaMarketPlace, by July 1, 2010. The plan shall include a detailed cost benefit analysis of options as defined in section 287.0574(4), Florida Statutes, as well as a transition plan in the event a new vendor is selected. Upon approval of the business case plan by the Legislative Budget Commission, the department shall competitively solicit a contract for operation of the state purchasing system, MyFloridaMarketPlace, pursuant to section 287.057, Florida Statutes.

2869 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,200
FROM OPERATING TRUST FUND 35,000

2870 EXPENSES
FROM GENERAL REVENUE FUND 209,069
FROM OPERATING TRUST FUND 403,759

2871 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,890
FROM OPERATING TRUST FUND 25,859

2872 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 23,056
FROM OPERATING TRUST FUND 91,267

2873 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,245
FROM OPERATING TRUST FUND 6,787

2874 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM GENERAL REVENUE FUND 77,736
FROM OPERATING TRUST FUND 120,000

2875 SPECIAL CATEGORIES
WEB-BASED E-PROCUREMENT SYSTEM
FROM OPERATING TRUST FUND 14,800,000

2876 SPECIAL CATEGORIES
PROJECT MANAGEMENT PROFESSIONAL - TRAINING
FROM OPERATING TRUST FUND 250,000

2877 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 103,673

2878 SPECIAL CATEGORIES
PRIVATE PRISONS - MAINTENANCE AND REPAIR
REIMBURSEMENT
FROM OPERATING TRUST FUND 959,588

2879 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 6 - GENERAL GOVERNMENT
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SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,070
FROM OPERATING TRUST FUND 17,293

2880 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 10,016
FROM OPERATING TRUST FUND 1,069,473

TOTAL: PURCHASING OVERSIGHT
FROM GENERAL REVENUE FUND 1,368,228
FROM TRUST FUNDS 20,708,935

TOTAL POSITIONS 57.00
TOTAL ALL FUNDS 22,077,163

OFFICE OF SUPPLIER DIVERSITY

APPROVED SALARY RATE 202,083

2881 SALARIES AND BENEFITS POSITIONS 6.00
FROM OPERATING TRUST FUND 313,440

2883 EXPENSES
FROM OPERATING TRUST FUND 33,937

2884 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 34,170

2885 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 2,726

2886 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 4,125

2887 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 24,412

TOTAL: OFFICE OF SUPPLIER DIVERSITY
FROM TRUST FUNDS 412,810

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 412,810

WORKFORCE PROGRAMS

PROGRAM: HUMAN RESOURCE MANAGEMENT

APPROVED SALARY RATE 2,696,630

2888 SALARIES AND BENEFITS POSITIONS 45.00
FROM GENERAL REVENUE FUND 287,269
FROM STATE PERSONNEL SYSTEM TRUST
FUND 3,309,066

Funds provided in Specific Appropriations 2888 through 2899 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	$355.68
OPS	$114.54
Justice Administrative Commission	$251.05
State Court System	$217.36
County Health Department	$251.05

2889 OTHER PERSONAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 10,000

2890 EXPENSES
FROM GENERAL REVENUE FUND 77,220
FROM OPERATING TRUST FUND 107,426
FROM STATE PERSONNEL SYSTEM TRUST
FUND 331,193

2891 OPERATING CAPITAL OUTLAY
FROM STATE PERSONNEL SYSTEM TRUST
FUND 5,000

2892 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 52,715
FROM STATE PERSONNEL SYSTEM TRUST
FUND 45,151

2893 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 728
FROM STATE PERSONNEL SYSTEM TRUST
FUND 16,619

2894 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST
FUND 165,000

2895 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 28,739

2896 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,125
FROM STATE PERSONNEL SYSTEM TRUST
FUND 16,799

2897 SPECIAL CATEGORIES
HUMAN RESOURCES SERVICES / STATEWIDE
CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST
FUND 39,903,424

2898 SPECIAL CATEGORIES
STATE EMPLOYEE'S CHARITABLE CAMPAIGN
FROM GENERAL REVENUE FUND 17,000

2899 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 17,750
FROM STATE PERSONNEL SYSTEM TRUST
FUND 43,657

TOTAL: PROGRAM: HUMAN RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND 483,546
FROM TRUST FUNDS 43,953,335

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 44,436,881

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

APPROVED SALARY RATE 1,291,953

2900 SALARIES AND BENEFITS POSITIONS 23.00
FROM PRETAX BENEFITS TRUST FUND . . 424,933
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 20,801
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 1,313,368

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APPROPRIATION
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 27,224

2901 OTHER PERSONAL SERVICES
FROM PRETAX BENEFITS TRUST FUND . . 2,500
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 2,500

2902 EXPENSES
FROM PRETAX BENEFITS TRUST FUND . . 81,165
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 3,484
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 438,418
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 5,375

2903 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND . . 10,000
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 10,000

2904 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 24,243

2905 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND . . 348,505
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 411,482

From the funds provided in Specific Appropriation 2905, the department shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.

2906 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR
HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 20,100,000

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2906 in the event administrative service payments for health insurance exceed the amount of budget authority appropriated.

2907 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 336,000

2908 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND . . 6,151
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 1,070
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 18,987
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 534

2909 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 25,000

2910 SPECIAL CATEGORIES
PAYMENT OF EMPLOYER CONTRIBUTIONS TO
HEALTH SAVINGS ACCOUNT CUSTODIAN
FROM STATE EMPLOYEES HEALTH

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION
INSURANCE TRUST FUND 786,443

2911 SPECIAL CATEGORIES
CONTRACTED BANK SERVICES
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 60,580

2912 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PRETAX BENEFITS TRUST FUND . . 4,984
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 348
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 12,818
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 166

2913 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM PRETAX BENEFITS TRUST FUND . . 38,399
FROM STATE EMPLOYEES LIFE
INSURANCE TRUST FUND 8,099
FROM STATE EMPLOYEES HEALTH
INSURANCE TRUST FUND 96,464
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 15,006

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 24,635,047

TOTAL POSITIONS 23.00
TOTAL ALL FUNDS 24,635,047

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,470,749

2914 SALARIES AND BENEFITS POSITIONS 194.00
FROM OPERATING TRUST FUND 9,767,776
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 138,976
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 782,712
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 40,900

Funds provided in Specific Appropriations 2914 through 2923 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.

2915 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 6,029
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 100

2916 EXPENSES
FROM OPERATING TRUST FUND 3,095,219
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 14,133
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 64,889
FROM RETIREE HEALTH INSURANCE
SUBSIDY TRUST FUND 11,370

2917 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 161,354
FROM OPTIONAL RETIREMENT PROGRAM
TRUST FUND 4,000
FROM POLICE AND FIREFIGHTER'S
PREMIUM TAX TRUST FUND 2,500

SECTION 6 - GENERAL GOVERNMENT
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2918 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM OPERATING TRUST FUND 28,496

2919 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,519
FROM OPERATING TRUST FUND 4,397,850
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 189,355
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 30,000

2920 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 122,571

2921 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 63,439

2922 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 159,872
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 100

2923 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 68,887
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 712
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 5,085
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 283

2924 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 428,139

2925 PENSIONS AND BENEFITS
DISABILITY BENEFITS TO JUSTICES AND JUDGES
FROM GENERAL REVENUE FUND 778,063

2926 PENSIONS AND BENEFITS
FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 14,939,514

2927 PENSIONS AND BENEFITS
STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)
FROM GENERAL REVENUE FUND 1,022,662

2928 PENSIONS AND BENEFITS
TEACHER'S SPECIAL PENSIONS
FROM GENERAL REVENUE FUND 2,741

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM GENERAL REVENUE FUND 16,778,499
FROM TRUST FUNDS 19,584,747

TOTAL POSITIONS 194.00
TOTAL ALL FUNDS 36,363,246

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 3,915,246

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

2929 SALARIES AND BENEFITS POSITIONS 75.00
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 4,911,794
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 430,613

2930 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 29,486

2931 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 775,406
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 666,229

2932 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 70,190,273

2933 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO SERVICE PROVIDERS - WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 13,175,579

2934 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - NON-WIRELESS E911
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 52,518,029

2935 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 92,159
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 3,600

2936 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 109,949,588

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2936 in the event that payments for enterprise bundled telecommunications services exceed the amount appropriated.

From the funds provided in Specific Appropriation 2936, the Division of Telecommunications shall work with the Southwood Shared Resource Center (SSRC) to ensure that no later than October 1, 2010, all SSRC customers are utilizing the shared SUNCOM telecommunication services connecting the SSRC to the SUNCOM Network for all telecommunications needs. The division shall work with the SSRC and its customers to implement a transition plan for migrating all SSRC customers to shared SUNCOM telecommunication services. Additionally, the division shall provide to each SSRC customer its associated costs and projected reductions for migrating and utilizing shared SUNCOM telecommunication services connecting the SSRC to the SUNCOM Network. For the first quarter of Fiscal year 2010-2011, the division shall utilize its Fiscal Year 2009-2010 cost allocation method for billing the SSRC customers for their network connection and port access charges. Beginning with the second quarter of Fiscal Year 2010-2011, the division shall implement a revised cost allocation method based upon the anticipated reductions resulting from the migration to the shared SUNCOM telecommunication services for the SSRC customers. The division shall work with the SSRC to track utilization of the network during the 2009-2010 fiscal year for the purpose of developing a utilization based cost allocation model for implementation by July 1, 2011.

2937 SPECIAL CATEGORIES
CONTRACTED SERVICES

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 2,054,845
FROM FEDERAL GRANTS TRUST FUND . . . 1,392,228
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 161,649

2938 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 8,227

2939 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 92,159

2939A SPECIAL CATEGORIES
NTIA - BROADBAND SERVICES DEPLOYMENT-
AMERICAN RECOVERY AND REINVESTMENT ACT OF
2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,206,678

2940 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 29,098
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 971

2941 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 1,127,890
FROM EMERGENCY COMMUNICATIONS
NUMBER E911 SYSTEM TRUST 4,140

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS 258,820,641

TOTAL POSITIONS 75.00
TOTAL ALL FUNDS 258,820,641

WIRELESS SERVICES

APPROVED SALARY RATE 796,762

2942 SALARIES AND BENEFITS POSITIONS 13.00
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 89,026
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,063,437

2943 OTHER PERSONAL SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 20,000

2944 EXPENSES
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 7,813
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 266,616

2945 OPERATING CAPITAL OUTLAY
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 22,000

2946 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 19,826

From the funds provided in Specific Appropriation 2946, the department may purchase one motor vehicle for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

2947 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 3,000,000

2948 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 439
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,092

2949 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 20,000

2950 SPECIAL CATEGORIES
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM
CONTRACT PAYMENT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 18,220,000

2951 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING
CAPITAL TRUST FUND 872
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 4,588

2952 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 2,009

TOTAL: WIRELESS SERVICES
FROM TRUST FUNDS 22,737,718

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 22,737,718

PROGRAM: SOUTHWOOD SHARED RESOURCE CENTER

SOUTHWOOD SHARED RESOURCE CENTER

APPROVED SALARY RATE 4,954,782

2953 SALARIES AND BENEFITS POSITIONS 97.00
FROM WORKING CAPITAL TRUST FUND . . 6,684,539

2954 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . 30,000

2955 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . 2,108,460

From the funds in Specific Appropriations 2955 through 2961, the Southwood Shared Resource Center (SSRC) shall develop a transition plan for absorbing the transfer of customer agency data center resources to the center based upon the timetables for transition as provided in the transferring agency's data center consolidation transition plan. The plan shall include Fiscal Year 2011-2012 Legislative Budget Request adjustments submitted from each customer agency transferring resources, as well as budget adjustments required by the SSRC to accomplish the efficient transfer of the data center service resources. The plan shall describe and make recommendations relating to issues which must be resolved to accomplish the transfer. The plan shall be submitted to the

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

Agency for Enterprise Information Technology (AEIT), Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means by November 15, 2010.

The Southwood Shared Resource Center, in coordination with the Agency for Enterprise Information Technology, shall work with the agencies that are required to develop and submit data center consolidation transition plans to transfer computing resources to the state primary data center, pursuant to section 282.201(2)(d)1.e., Florida Statutes.

The SSRC shall also work with the AEIT and the agencies required to develop comparative cost benefit analyses for the purpose of determining the most cost effective center to provide their data center service functions.

In filling positions, the SSRC is to give priority consideration to state employees whose jobs have been adversely affected by workforce reductions in the agencies from where agency data center services are being transferred. Every reasonable effort is to be made to identify vacant positions and to match the adversely affected employee's skills with the requirements of available vacant positions in the data center.

By November 1, 2010, the SSRC shall coordinate with its mainframe customers to develop a plan for standardizing or replacing mainframe software products to achieve cost savings and other operational efficiencies for mainframe services. In producing the plan, the SSRC shall identify specific software functions that can be performed more effectively through standardization or replacement of existing mainframe software products and services. The plan shall include an estimated timeframe for achieving the savings and other related benefits. In order to achieve these objectives, the SSRC, in consultation with the Agency for Enterprise Information Technology, shall develop competitive mainframe software and service solicitations required for implementation to begin July 1, 2011.

2956 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . 228,564

2957 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . 11,036,658

2958 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND . . 9,560

2959 SPECIAL CATEGORIES
DATA PROCESSING CONTRACTS FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND . . 825,700

2960 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM WORKING CAPITAL TRUST FUND . . 474,406

2961 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND . . 32,756

TOTAL: SOUTHWOOD SHARED RESOURCE CENTER
FROM TRUST FUNDS 21,430,643

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 21,430,643

PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

APPROVED SALARY RATE 1,846,380

2962 SALARIES AND BENEFITS POSITIONS 28.00

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
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FROM GENERAL REVENUE FUND 1,683,533
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 1,222,982

2963 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,277
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 53,628

2964 EXPENSES
FROM GENERAL REVENUE FUND 27,587
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 355,560

2965 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,399
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 5,721

2966 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,070
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 32,500

2967 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 14,952
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 21,921

2968 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 34,314

2969 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,987
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 6,024

2970 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 14,719
FROM PUBLIC EMPLOYEES RELATIONS
COMMISSION TRUST FUND 19,127

TOTAL: PUBLIC EMPLOYEES RELATIONS
FROM GENERAL REVENUE FUND 1,833,838
FROM TRUST FUNDS 1,717,463

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 3,551,301

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE 2,192,649

2971 SALARIES AND BENEFITS POSITIONS 53.50
FROM GENERAL REVENUE FUND 2,245,825
FROM OPERATING TRUST FUND 861,410

2972 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 21,002
FROM OPERATING TRUST FUND 1,040

2973 EXPENSES
FROM GENERAL REVENUE FUND 52,670
FROM OPERATING TRUST FUND 245,402

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

2974 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,736

2975 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 802,572

2976 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,506
FROM OPERATING TRUST FUND 1,000

2977 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 39,171
FROM OPERATING TRUST FUND 10,329

2978 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 20,126
FROM OPERATING TRUST FUND 5,574

2979 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM OPERATING TRUST FUND 43,896

TOTAL: HUMAN RELATIONS
FROM GENERAL REVENUE FUND 3,186,608
FROM TRUST FUNDS 1,168,651

TOTAL POSITIONS 53.50
TOTAL ALL FUNDS 4,355,259

ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

APPROVED SALARY RATE 5,551,636

2980 SALARIES AND BENEFITS POSITIONS 68.00
FROM OPERATING TRUST FUND 7,091,639

2981 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 30,091

2982 EXPENSES
FROM OPERATING TRUST FUND 1,117,519

2983 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 65,000

2984 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 191,723

2985 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 54,540

2986 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 27,482

TOTAL: PROGRAM: ADJUDICATION OF DISPUTES
FROM TRUST FUNDS 8,577,994

TOTAL POSITIONS 68.00
TOTAL ALL FUNDS 8,577,994

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS

APPROVED SALARY RATE 10,159,807

2987 SALARIES AND BENEFITS POSITIONS 198.00
FROM OPERATING TRUST FUND 13,549,030

2988 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 33,725

2989 EXPENSES
FROM OPERATING TRUST FUND 3,125,911

2990 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 25,916

2991 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 1,114,049

2992 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 104,785

2993 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 1,279

2994 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 80,066

TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS
FROM TRUST FUNDS 18,034,761

TOTAL POSITIONS 198.00
TOTAL ALL FUNDS 18,034,761

TOTAL: MANAGEMENT SERVICES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 33,115,144
FROM TRUST FUNDS 553,758,482

TOTAL POSITIONS 1,261.00
TOTAL ALL FUNDS 586,873,626
TOTAL APPROVED SALARY RATE 58,806,361

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2995 EXPENSES
FROM FEDERAL GRANTS TRUST FUND . . . 75,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 305,000

2996 OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 200,000

2998 SPECIAL CATEGORIES
PROJECTS, CONTRACTS AND GRANTS
FROM FEDERAL GRANTS TRUST FUND . . . 6,600,000

2999 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 10,000

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

3000 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL LAW ENFORCEMENT TRUST FUND 10,000

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM TRUST FUNDS 7,200,000

TOTAL ALL FUNDS 7,200,000

MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,190,310

3001 SALARIES AND BENEFITS POSITIONS 92.00
FROM GENERAL REVENUE FUND 3,233,912
FROM CAMP BLANDING MANAGEMENT TRUST FUND 1,094,346

3002 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND 18,172

3003 EXPENSES
FROM GENERAL REVENUE FUND 4,390,585
FROM CAMP BLANDING MANAGEMENT TRUST FUND 90,000

3004 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 162,810

3005 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 15,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND 113,678

3006 SPECIAL CATEGORIES
NATIONAL GUARD TUITION ASSISTANCE
FROM GENERAL REVENUE FUND 1,781,900

3007 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 333,500
FROM CAMP BLANDING MANAGEMENT TRUST FUND 25,000

3008 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 171,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND 25,000

3009 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CAMP BLANDING MANAGEMENT TRUST FUND 99,428

3010 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,523
FROM CAMP BLANDING MANAGEMENT TRUST FUND 9,330

TOTAL: MILITARY READINESS AND RESPONSE
FROM GENERAL REVENUE FUND 10,116,230
FROM TRUST FUNDS 1,474,954

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 11,591,184

EXECUTIVE DIRECTION AND SUPPORT SERVICES

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 2,907,482

3012 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 3,846,846
FROM FEDERAL GRANTS TRUST FUND . . . 318,138

3013 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 54,533

3014 EXPENSES
FROM GENERAL REVENUE FUND 731,311
FROM FEDERAL GRANTS TRUST FUND . . . 62,850

3015 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 33,126
FROM CAMP BLANDING MANAGEMENT TRUST FUND 18,400
FROM FEDERAL GRANTS TRUST FUND . . . 69,500

3016 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 25,000

3017 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 2,000

3018 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM GENERAL REVENUE FUND 5,000

3019 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM CAMP BLANDING MANAGEMENT TRUST FUND 7,656

3020 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 30,200

3021 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 22,000

3022 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 235,161

3023 SPECIAL CATEGORIES
WORKER'S COMPENSATION FOR STATE ACTIVE DUTY - FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 290,429

3024 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,674
FROM FEDERAL GRANTS TRUST FUND . . . 1,757

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 5,295,280
FROM TRUST FUNDS 478,301

TOTAL POSITIONS 53.00
TOTAL ALL FUNDS 5,773,581

FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 6,952,809

3025 SALARIES AND BENEFITS POSITIONS 207.00
FROM FEDERAL GRANTS TRUST FUND . . . 9,259,473

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION

3026 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 87,000

3027 EXPENSES
FROM GENERAL REVENUE FUND 221,540
FROM FEDERAL GRANTS TRUST FUND . . . 11,992,779

3028 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 416,300

3029 FOOD PRODUCTS
FROM FEDERAL GRANTS TRUST FUND . . . 450,000

3030 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND . . . 329,000

3031 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND . . . 70,000

3032 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 443,150
FROM FEDERAL GRANTS TRUST FUND . . . 6,980,000

3032A SPECIAL CATEGORIES
GRANTS AND AIDS - WAGES CONTRACTING WITH MILITARY AFFAIRS
FROM FEDERAL GRANTS TRUST FUND . . . 2,000,000

From funds in Specific Appropriation 3032A, $2,000,000 of nonrecurring funds from the Federal Grants Trust Fund is provided for the Forward March and About Face Programs. These funds are contingent upon the execution of a contractual agreement between the Department of Military Affairs and the Agency for Workforce Innovation. The program is to be funded with funds transferred from the Agency for Workforce Innovation.

3033 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM FEDERAL GRANTS TRUST FUND . . . 30,000

3034 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL GRANTS TRUST FUND . . . 920,000

3035 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND . . . 88,990

3036 FIXED CAPITAL OUTLAY
CAMP BLANDING JOINT TRAINING CENTER URBAN ASSAULT COURSE - DESIGN
FROM FEDERAL GRANTS TRUST FUND . . . 253,000

3037 FIXED CAPITAL OUTLAY
CAMP BLANDING JOINT TRAINING CENTER COMBINED ARMS COLLECTIVE TRAINING FACILITY - DESIGN
FROM FEDERAL GRANTS TRUST FUND . . . 1,490,000

TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS
FROM GENERAL REVENUE FUND 664,690
FROM TRUST FUNDS 34,366,542

TOTAL POSITIONS 207.00
TOTAL ALL FUNDS 35,031,232

TOTAL: MILITARY AFFAIRS, DEPARTMENT OF
FROM GENERAL REVENUE FUND 16,076,200
FROM TRUST FUNDS 43,519,797

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 352.00
TOTAL ALL FUNDS 59,595,997
TOTAL APPROVED SALARY RATE 13,050,601

PUBLIC SERVICE COMMISSION

PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES

PUBLIC SERVICE COMMISSIONERS

APPROVED SALARY RATE 1,498,559

3046A SALARIES AND BENEFITS POSITIONS 18.00
FROM REGULATORY TRUST FUND 2,003,063

3046B EXPENSES
FROM REGULATORY TRUST FUND 353,075

3046C OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 6,000

3046D SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 6,859

3046E SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 5,459

3046F SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 7,276

TOTAL: PUBLIC SERVICE COMMISSIONERS
FROM TRUST FUNDS 2,381,732

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 2,381,732

EXECUTIVE DIRECTION AND SUPPORT SERVICES

By September 1, 2010, the Public Service Commission shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Southwood Shared Resource Center (SSRC). If the commission is unable to complete and execute a service level agreement by that date, the commission shall submit a report to the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on General Government and Health Care within five working days, explaining the specific issues preventing execution and describing the commission's plan and schedule for resolving those issues.

APPROVED SALARY RATE 4,020,423

3046G SALARIES AND BENEFITS POSITIONS 80.00
FROM REGULATORY TRUST FUND 5,306,890

3046H OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 117,258

3046I EXPENSES
FROM REGULATORY TRUST FUND 1,241,227

3046J OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 200,000

3046K SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 72,055

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
From the funds provided in Specific Appropriation 3046K, the commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 200,000 miles, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

3046L SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 263,067

3046M SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 24,261

3046N SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 32,742

3046O DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 70,555

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 7,328,055

TOTAL POSITIONS 80.00
TOTAL ALL FUNDS 7,328,055

LEGAL SERVICES

APPROVED SALARY RATE 1,951,200

3046P SALARIES AND BENEFITS POSITIONS 32.00
FROM REGULATORY TRUST FUND 2,433,382

3046Q OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 17,000

3046R EXPENSES
FROM REGULATORY TRUST FUND 411,361

3046S OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 4,100

3046T SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 37,955

3046U SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 9,704

3046V SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 13,744

TOTAL: LEGAL SERVICES
FROM TRUST FUNDS 2,927,246

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 2,927,246

PROGRAM: UTILITY REGULATION AND CONSUMER ASSISTANCE

UTILITY REGULATION

APPROVED SALARY RATE 7,396,840

3046W SALARIES AND BENEFITS POSITIONS 159.00

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM REGULATORY TRUST FUND 10,133,831

3046X OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 66,330

3046Y EXPENSES
FROM REGULATORY TRUST FUND 1,639,410

3046Z OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 52,000

3046AA SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 181,968

3046AB SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 48,218

3046AC SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 65,082

3046AD SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
FROM REGULATORY TRUST FUND 350,000

TOTAL: UTILITY REGULATION
FROM TRUST FUNDS 12,536,839

TOTAL POSITIONS 159.00
TOTAL ALL FUNDS 12,536,839

AUDITING AND PERFORMANCE ANALYSIS

APPROVED SALARY RATE 1,598,411

3046AE SALARIES AND BENEFITS POSITIONS 34.00
FROM REGULATORY TRUST FUND 2,117,938

3046AF EXPENSES
FROM REGULATORY TRUST FUND 463,626

3046AG OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 4,100

3046AH SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 12,955

3046AI SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 10,311

3046AJ SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 13,744

TOTAL: AUDITING AND PERFORMANCE ANALYSIS
FROM TRUST FUNDS 2,622,674

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,622,674

TOTAL: PUBLIC SERVICE COMMISSION
FROM TRUST FUNDS 27,796,546

TOTAL POSITIONS 323.00
TOTAL ALL FUNDS 27,796,546

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION

TOTAL APPROVED SALARY RATE	16,465,433	

REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 13,246,270

3047 SALARIES AND BENEFITS POSITIONS 259.00		
FROM GENERAL REVENUE FUND	9,723,212	
FROM FEDERAL GRANTS TRUST FUND . . .		5,642,841
FROM OPERATING TRUST FUND		2,254,539
3048 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		118,740
3049 EXPENSES		
FROM GENERAL REVENUE FUND	441,943	
FROM FEDERAL GRANTS TRUST FUND . . .		461,726
FROM OPERATING TRUST FUND		2,345,446
3050 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	6,929	
FROM OPERATING TRUST FUND		5,422,409
3051 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM FEDERAL GRANTS TRUST FUND . . .		1,503,196
FROM OPERATING TRUST FUND		860,713
3052 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	198,161	
FROM FEDERAL GRANTS TRUST FUND . . .		281,028
FROM OPERATING TRUST FUND		1,408,085
3053 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	93,815	
FROM FEDERAL GRANTS TRUST FUND . . .		11,208
FROM OPERATING TRUST FUND		80,718
3054 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	1,684,789	
FROM FEDERAL GRANTS TRUST FUND . . .		183,572
FROM OPERATING TRUST FUND		288,499
3055 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	1,305	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	12,150,154	
FROM TRUST FUNDS		20,862,720
TOTAL POSITIONS	259.00	
TOTAL ALL FUNDS		33,012,874

PROGRAM: PROPERTY TAX OVERSIGHT PROGRAM

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 5,546,943

3055A SALARIES AND BENEFITS POSITIONS 128.00		
FROM GENERAL REVENUE FUND	7,328,512	
3055B OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,455	
3055C EXPENSES		
FROM GENERAL REVENUE FUND	962,934	
3055D OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	16,012	
3055E SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	278,161	
3055F SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	141,758	
3055G DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	41,534	
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	8,781,366	
TOTAL POSITIONS	128.00	
TOTAL ALL FUNDS		8,781,366

COMPLIANCE ASSISTANCE

APPROVED SALARY RATE 2,309,986

3055H SALARIES AND BENEFITS POSITIONS 48.00		
FROM GENERAL REVENUE FUND	3,134,208	
FROM CERTIFICATION PROGRAM TRUST FUND		202,468
3055I OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	9,715	
3055J EXPENSES		
FROM GENERAL REVENUE FUND	97,445	
3055K AID TO LOCAL GOVERNMENTS		
AERIAL PHOTOGRAPHY AND MAPPING		
FROM GENERAL REVENUE FUND	500,000	
FROM CERTIFICATION PROGRAM TRUST FUND		876,266

Of the funds in Specific Appropriation 3055K, $500,000 in nonrecurring general revenue is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.

3055L SPECIAL CATEGORIES		
PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM		
FROM CERTIFICATION PROGRAM TRUST FUND		485,000
3055M SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	245,901	
3055N SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	65,606	
3055O SPECIAL CATEGORIES		
FISCALLY CONSTRAINED COUNTIES - CONSERVATION LANDS		
FROM GENERAL REVENUE FUND	2,791,000	
3055P SPECIAL CATEGORIES		
FISCALLY CONSTRAINED COUNTIES		
FROM GENERAL REVENUE FUND	25,159,000	

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3055Q SPECIAL CATEGORIES
TANGIBLE PERSONAL PROPERTY TAX AUDIT PILOT PROGRAM
FROM GENERAL REVENUE FUND 250,000

Of the funds in Specific Appropriation 3055Q, $250,000 in nonrecurring general revenue is provided to the Department of Revenue to establish a tangible personal property tax audit revolving loan pilot program in Broward County. The funds will be made available to the property appraiser to contract for appropriate auditing services to conduct randomly selected taxpayer audits.

TOTAL: COMPLIANCE ASSISTANCE
FROM GENERAL REVENUE FUND 32,252,875
FROM TRUST FUNDS 1,563,734

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 33,816,609

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

APPROVED SALARY RATE 27,161,355

3066 SALARIES AND BENEFITS POSITIONS 937.00
FROM GENERAL REVENUE FUND 11,365,308
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 841,488
FROM FEDERAL GRANTS TRUST FUND . . . 24,446,881

From the funds in Specific Appropriation 3066, $349,827 from nonrecurring general revenue and $679,075 from the Federal Grants Trust Fund, and twenty-one full-time equivalent positions is provided for the Child Support Enforcement Program.

3067 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 59,699
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 62,862
FROM FEDERAL GRANTS TRUST FUND . . . 356,835

3068 EXPENSES
FROM GENERAL REVENUE FUND 3,577,822
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 7,014
FROM FEDERAL GRANTS TRUST FUND . . . 6,970,890

From the funds in Specific Appropriations 3068, 3077, 3087, and 3097, no more than $4,806.81 shall be used by the department for use of property leased pursuant to Lease Number 730:0304, relating to 3104 Flagler Avenue, Key West for the period July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease for use of such property after July 31, 2010. In addition, from the funds in Specific Appropriations 3068, 3077, 3087, and 3097, no more than $250.00 shall be used by the department for the purpose of funding Contract Number 600-340-06-1 relating to the leased copier at this location for the period of July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease for use of such equipment after July 31, 2010.

3069 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 261,592
FROM FEDERAL GRANTS TRUST FUND . . . 514,372

3070 SPECIAL CATEGORIES
CHILD SUPPORT ENFORCEMENT ANNUAL FEE
FROM GENERAL REVENUE FUND 1,980,000
FROM OPERATING TRUST FUND 725,225

3071 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 3,486,703
FROM CHILD SUPPORT INCENTIVE TRUST FUND 10,858,896
FROM FEDERAL GRANTS TRUST FUND . . . 25,272,515

3072 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 116,342
FROM FEDERAL GRANTS TRUST FUND . . . 225,841

3073 DATA PROCESSING SERVICES
CHILDREN AND FAMILIES DATA CENTER
FROM GENERAL REVENUE FUND 1,430,086
FROM FEDERAL GRANTS TRUST FUND . . . 2,858,517

3074 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 366,537
FROM FEDERAL GRANTS TRUST FUND . . . 711,515

TOTAL: CASE PROCESSING
FROM GENERAL REVENUE FUND 22,644,089
FROM TRUST FUNDS 73,852,851

TOTAL POSITIONS 937.00
TOTAL ALL FUNDS 96,496,940

REMITTANCE AND DISTRIBUTION

APPROVED SALARY RATE 2,435,295

3075 SALARIES AND BENEFITS POSITIONS 80.00
FROM GENERAL REVENUE FUND 1,266,940
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 28,117
FROM FEDERAL GRANTS TRUST FUND . . . 2,514,255

3076 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,298
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 8,720
FROM FEDERAL GRANTS TRUST FUND . . . 33,036

3077 EXPENSES
FROM GENERAL REVENUE FUND 191,876
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 786
FROM FEDERAL GRANTS TRUST FUND . . . 373,993

3078 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 230,776
FROM FEDERAL GRANTS TRUST FUND . . . 447,976

3079 SPECIAL CATEGORIES
TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 2,241,987

3080 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 2,469,100
FROM CHILD SUPPORT INCENTIVE TRUST FUND 10,079,632
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND 1,618,998
FROM FEDERAL GRANTS TRUST FUND . . . 22,842,164

3081 SPECIAL CATEGORIES

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RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	10,053	
FROM FEDERAL GRANTS TRUST FUND . . .		19,514
3082 FINANCIAL ASSISTANCE PAYMENTS		
CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
FROM CHILD SUPPORT INCENTIVE TRUST FUND		750,000
3083 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,352,656	
FROM FEDERAL GRANTS TRUST FUND . . .		2,601,257
3084 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	349,086	
FROM FEDERAL GRANTS TRUST FUND . . .		677,637
TOTAL: REMITTANCE AND DISTRIBUTION		
FROM GENERAL REVENUE FUND	8,120,772	
FROM TRUST FUNDS		41,996,085
TOTAL POSITIONS	80.00	
TOTAL ALL FUNDS		50,116,857

ESTABLISHMENT

APPROVED SALARY RATE 22,082,245

3085 SALARIES AND BENEFITS POSITIONS 663.00		
FROM GENERAL REVENUE FUND	10,115,063	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		278,702
FROM FEDERAL GRANTS TRUST FUND . . .		20,180,047
3086 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	62,075	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		43,644
FROM FEDERAL GRANTS TRUST FUND . . .		205,218
3087 EXPENSES		
FROM GENERAL REVENUE FUND	1,769,814	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		2,411
FROM FEDERAL GRANTS TRUST FUND . . .		3,440,204
3088 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	270,560	
FROM FEDERAL GRANTS TRUST FUND . . .		525,203
3089 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	3,629,107	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		11,132,925
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		710,773
FROM FEDERAL GRANTS TRUST FUND . . .		23,439,554
3090 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	82,871	
FROM FEDERAL GRANTS TRUST FUND . . .		160,868
3091 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		

SECTION 6 - GENERAL GOVERNMENT
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FROM GENERAL REVENUE FUND	1,189,034	
FROM FEDERAL GRANTS TRUST FUND . . .		2,269,357
3093 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	35,279	
FROM FEDERAL GRANTS TRUST FUND . . .		68,482
3094 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	328,932	
FROM FEDERAL GRANTS TRUST FUND . . .		638,514
3094A DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND	219,609	
FROM FEDERAL GRANTS TRUST FUND . . .		426,299
3094B DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
DEPRECIATION FEDERAL SHARE BILLINGS		
FROM FEDERAL GRANTS TRUST FUND . . .		188,787
TOTAL: ESTABLISHMENT		
FROM GENERAL REVENUE FUND	17,702,344	
FROM TRUST FUNDS		63,710,988
TOTAL POSITIONS	663.00	
TOTAL ALL FUNDS		81,413,332

COMPLIANCE

APPROVED SALARY RATE 20,741,127

3095 SALARIES AND BENEFITS POSITIONS 631.00		
FROM GENERAL REVENUE FUND	10,199,177	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		232,280
FROM FEDERAL GRANTS TRUST FUND . . .		19,495,733
3096 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	16,841	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		88,774
FROM FEDERAL GRANTS TRUST FUND . . .		205,015
3097 EXPENSES		
FROM GENERAL REVENUE FUND	2,527,539	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		3,125
FROM FEDERAL GRANTS TRUST FUND . . .		4,922,061

From the funds in Specific Appropriation 3097, no funds shall be used to make payments for the use of postage meter equipment in the following Child Support Enforcement sites: Chipley, Ft. Walton, Madison, Arcadia, Okeechobee, and Clewiston.

From the funds in Specific Appropriation 3097, no more than $31,546.26 shall be used by the department for use of property leased pursuant to Lease Number 730:0308, relating to 777 Main Street Building A, Chipley for the period July 1, 2010, through December 31, 2010. No funds shall be used to pay for the lease for use of such property after December 31, 2010. In addition, from the funds in Specific Appropriation 3097, no more than $1,500 shall be used by the department for the purpose of funding Contract Number 600-340-06-1 relating to the leased copier at this location and no more than $2,466 shall be used by the department for the purpose of funding Contract Number 600-760-07-1 for leased postage meter equipment at this location for the period July 1, 2010, through December 31, 2010. No funds shall be used to pay for the lease for use of such equipment after December 31, 2010.

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From the funds in Specific Appropriation 3097, no more than $7,500.74 shall be used by the department for the use of property leased pursuant to Lease Number 730:0303, relating to Unit 111-C, Choctaw Plaza Shopping Center, 111-C Racetrack RD. N. W., Ft. Walton Beach for the period July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease of such property after July 31, 2010. In addition, from the funds in Specific Appropriation 3097, no more than $250.00 shall be used by the department for the purpose of funding Contract Number 600-340-06-1 relating to the leased copier at this location and no more than $411.00 shall be used by the department for the purpose of funding Contract Number 600-760-07-1 for leased postage meter equipment at this location for the period of July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease for use of such equipment after July 31, 2010.

3098 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 43,091
FROM FEDERAL GRANTS TRUST FUND . . . 83,644

3099 SPECIAL CATEGORIES
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT
FROM GENERAL REVENUE FUND 4,086,422
FROM CHILD SUPPORT INCENTIVE TRUST FUND 6,513,518
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND 371,449
FROM FEDERAL GRANTS TRUST FUND . . . 12,227,154

3100 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 78,781
FROM FEDERAL GRANTS TRUST FUND . . . 152,927

TOTAL: COMPLIANCE
FROM GENERAL REVENUE FUND 16,951,851
FROM TRUST FUNDS 44,295,680

TOTAL POSITIONS 631.00
TOTAL ALL FUNDS 61,247,531

PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

APPROVED SALARY RATE 11,488,703

3101 SALARIES AND BENEFITS POSITIONS 380.50
FROM GENERAL REVENUE FUND 17,246,424
FROM FEDERAL GRANTS TRUST FUND . . . 2,988,438
FROM OPERATING TRUST FUND 257,293

3102 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 22,157

3103 EXPENSES
FROM GENERAL REVENUE FUND 591,166
FROM FEDERAL GRANTS TRUST FUND . . . 824,254
FROM OPERATING TRUST FUND 3,083,172

From the funds in Specific Appropriations 3103, 3112, and 3127, no funds shall be used to make payment for the use of property leased pursuant to Lease Number 730:0240, relating to 168 Blountstown Highway, Tallahassee, after December 31, 2010.

3104 AID TO LOCAL GOVERNMENTS
EMERGENCY DISTRIBUTIONS
FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND . . . 16,167,042

3105 AID TO LOCAL GOVERNMENTS
INMATE SUPPLEMENTAL DISTRIBUTION
FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND . . . 592,958

3106 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 40,988
FROM FEDERAL GRANTS TRUST FUND . . . 5,377
FROM OPERATING TRUST FUND 140,466

3106A SPECIAL CATEGORIES
ADMINISTRATION OF UNEMPLOYMENT COMPENSATION TAX
FROM FEDERAL GRANTS TRUST FUND . . . 751,530
FROM OPERATING TRUST FUND 449,517

3107 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 769,584
FROM FEDERAL GRANTS TRUST FUND . . . 268,642
FROM OPERATING TRUST FUND 722,581

3108 SPECIAL CATEGORIES
PURCHASE OF SERVICES - COLLECTION AGENCIES
FROM OPERATING TRUST FUND 97,049

3109 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 117,374
FROM OPERATING TRUST FUND 44,762

TOTAL: TAX PROCESSING
FROM GENERAL REVENUE FUND 18,765,536
FROM TRUST FUNDS 26,415,238

TOTAL POSITIONS 380.50
TOTAL ALL FUNDS 45,180,774

TAXPAYER AID

APPROVED SALARY RATE 5,452,592

3110 SALARIES AND BENEFITS POSITIONS 138.00
FROM GENERAL REVENUE FUND 6,445,680
FROM FEDERAL GRANTS TRUST FUND . . . 143,355
FROM OPERATING TRUST FUND 839,588

3111 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 3,798

3112 EXPENSES
FROM GENERAL REVENUE FUND 888,571
FROM FEDERAL GRANTS TRUST FUND . . . 312,822
FROM OPERATING TRUST FUND 683,133

3113 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND . . . 2,161
FROM OPERATING TRUST FUND 54,485

3114 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 320,938
FROM FEDERAL GRANTS TRUST FUND . . . 126,315
FROM OPERATING TRUST FUND 138,216

3115 SPECIAL CATEGORIES
PURCHASE OF SERVICES - COLLECTION AGENCIES
FROM OPERATING TRUST FUND 39,000

3116 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 47,166
FROM OPERATING TRUST FUND 17,989

TOTAL: TAXPAYER AID
FROM GENERAL REVENUE FUND 7,702,355
FROM TRUST FUNDS 2,360,862

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TOTAL POSITIONS	138.00	
TOTAL ALL FUNDS		10,063,217

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 49,811,479

3117 SALARIES AND BENEFITS POSITIONS 1,147.00		
FROM GENERAL REVENUE FUND	37,067,896	
FROM FEDERAL GRANTS TRUST FUND . . .		8,458,327
FROM OPERATING TRUST FUND		15,131,771

From the funds in Specific Appropriation 3117, $1,002,789 and 25 full-time equivalent positions in nonrecurring general revenue are provided for the General Tax Administration Program.

3118 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		11,147
3119 EXPENSES		
FROM GENERAL REVENUE FUND	655,764	
FROM FEDERAL GRANTS TRUST FUND . . .		2,329,249
FROM OPERATING TRUST FUND		9,049,917

From the funds in Specific Appropriation 3119, no more than $5,824.43 shall be used by the department for use of property leased pursuant to Lease Number 730:0304, relating to 3104 Flagler Avenue, Key West for the period July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease for use of such property after July 31, 2010. From the funds in Specific Appropriation 3119, no more than $250.00 shall be used by the department for the purpose of funding Contract Number DO919023-V3, relating to a leased copier at this location and no more than $400.00 shall be used by the department for the purpose of funding Contract Number H070683550, for leased postage meter equipment at this location for the period July 1, 2010, through July 31, 2010. No funds shall be used to pay for the lease for use of such equipment after July 31, 2010.

3120 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,350	
FROM FEDERAL GRANTS TRUST FUND . . .		13,845
FROM OPERATING TRUST FUND		218,788
3121 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,403,006	
FROM FEDERAL GRANTS TRUST FUND . . .		652,281
FROM OPERATING TRUST FUND		1,442,984
3122 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		249,900
3123 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	302,233	
FROM OPERATING TRUST FUND		115,261
3124 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND	176,956	
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	39,607,205	
FROM TRUST FUNDS		37,673,470
TOTAL POSITIONS	1,147.00	
TOTAL ALL FUNDS		77,280,675

COMPLIANCE RESOLUTION

APPROVED SALARY RATE 20,709,703

3125 SALARIES AND BENEFITS POSITIONS 570.50		
FROM GENERAL REVENUE FUND	15,553,986	
FROM FEDERAL GRANTS TRUST FUND . . .		3,919,601
FROM OPERATING TRUST FUND		11,692,607
3126 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,292	
FROM OPERATING TRUST FUND		6,606
3127 EXPENSES		
FROM GENERAL REVENUE FUND	2,275,038	
FROM FEDERAL GRANTS TRUST FUND . . .		974,041
FROM OPERATING TRUST FUND		2,053,688
3128 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,218	
FROM FEDERAL GRANTS TRUST FUND . . .		6,318
FROM OPERATING TRUST FUND		59,342
3129 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	704,314	
FROM FEDERAL GRANTS TRUST FUND . . .		310,497
FROM OPERATING TRUST FUND		433,371
3130 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		114,051
3131 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	137,933	
FROM OPERATING TRUST FUND		52,606
TOTAL: COMPLIANCE RESOLUTION		
FROM GENERAL REVENUE FUND	18,699,781	
FROM TRUST FUNDS		19,622,728
TOTAL POSITIONS	570.50	
TOTAL ALL FUNDS		38,322,509

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

By September 1, 2010, the Department of Revenue shall execute service level agreements, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC), Southwood Shared Resource Center (SSRC), and the Northwest Regional Data Center (NWRDC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on General Government and Health Care and the Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

APPROVED SALARY RATE 7,793,620

3132 SALARIES AND BENEFITS POSITIONS 182.00		
FROM GENERAL REVENUE FUND	5,623,769	
FROM FEDERAL GRANTS TRUST FUND . . .		1,614,609
FROM OPERATING TRUST FUND		3,463,164
3133 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	172,260	
FROM OPERATING TRUST FUND		29,252
3134 EXPENSES		
FROM GENERAL REVENUE FUND	4,702	
FROM FEDERAL GRANTS TRUST FUND . . .		212,063
FROM OPERATING TRUST FUND		2,101,360

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3135 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,233
FROM FEDERAL GRANTS TRUST FUND . . . 34,094
FROM OPERATING TRUST FUND 767,752

3136 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 688
FROM FEDERAL GRANTS TRUST FUND . . . 784,476
FROM OPERATING TRUST FUND 2,240,174

3137 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,002
FROM FEDERAL GRANTS TRUST FUND . . . 11,232
FROM OPERATING TRUST FUND 9,572

3138 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 74,714
FROM OPERATING TRUST FUND 139,709

3139 DATA PROCESSING SERVICES
SOUTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 758,287
FROM OPERATING TRUST FUND 1,804,277

3139A DATA PROCESSING SERVICES
NORTHWEST REGIONAL DATA CENTER (NWRDC)
FROM GENERAL REVENUE FUND 141,067
FROM OPERATING TRUST FUND 241,927

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 6,780,722
FROM TRUST FUNDS 13,453,661

TOTAL POSITIONS 182.00
TOTAL ALL FUNDS 20,234,383

TOTAL: REVENUE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 210,159,050
FROM TRUST FUNDS 345,808,017

TOTAL POSITIONS 5,164.00
TOTAL ALL FUNDS 555,967,067
TOTAL APPROVED SALARY RATE 188,779,318

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND
ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,772,261

3140 SALARIES AND BENEFITS POSITIONS 89.00
FROM GENERAL REVENUE FUND 4,744,478
FROM GRANTS AND DONATIONS TRUST
FUND 1,380,602
FROM RECORDS MANAGEMENT TRUST FUND . 80,998

3141 EXPENSES
FROM GENERAL REVENUE FUND 597,625

3142 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,250

3143 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 28,640

3144 SPECIAL CATEGORIES
LITIGATION EXPENSES

SECTION 6 - GENERAL GOVERNMENT
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APPROPRIATION
FROM GENERAL REVENUE FUND 500,000

3145 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 50,964

3146 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 36,981
FROM GRANTS AND DONATIONS TRUST
FUND 5,754

3147 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 15,000

3149 DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM GENERAL REVENUE FUND 673,950

From the funds in Specific Appropriations 3149, 3166A and 3184A, by September 1, 2010, the Department of State shall execute a service level agreement, pursuant to section 282.203(1)(g), Florida Statutes, to specify the services and levels of services it is to receive from the Northwood Shared Resource Center (NSRC). If the department is unable to complete and execute a service level agreement by that date, the department shall submit a report to the Executive Office of the Governor and to the chairs of the House Full Appropriations Council on Education and Economic Development and the Senate Policy and Steering Committee on Ways and Means within five working days, explaining the specific issues preventing execution and describing the department's plan and schedule for resolving those issues.

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 6,648,888
FROM TRUST FUNDS 1,467,354

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 8,116,242

PROGRAM: ELECTIONS

ELECTIONS

APPROVED SALARY RATE 2,074,869

3150 SALARIES AND BENEFITS POSITIONS 54.00
FROM GENERAL REVENUE FUND 1,136,962
FROM GRANTS AND DONATIONS TRUST
FUND 1,760,754

3151 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 87,150
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

3152 EXPENSES
FROM GENERAL REVENUE FUND 844,947
FROM GRANTS AND DONATIONS TRUST
FUND 597,882

3153 AID TO LOCAL GOVERNMENTS
SPECIAL ELECTIONS
FROM GENERAL REVENUE FUND 1,956,301

3154 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,086
FROM GRANTS AND DONATIONS TRUST
FUND 3,125

3155 SPECIAL CATEGORIES
ADVERTISING OF PROPOSED AMENDMENTS TO THE

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
CONSTITUTION
FROM GENERAL REVENUE FUND 600,000

3157 SPECIAL CATEGORIES
VOTING SYSTEMS ASSISTANCE
FROM GRANTS AND DONATIONS TRUST
FUND 525,000

3158 SPECIAL CATEGORIES
STATEWIDE VOTER REGISTRATION SYSTEM - HELP
AMERICA VOTE ACT (HAVA)
FROM GRANTS AND DONATIONS TRUST
FUND 2,802,347

3159 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 283,541
FROM GRANTS AND DONATIONS TRUST
FUND 300,058

3160 SPECIAL CATEGORIES
ASSISTANCE FOR INDIVIDUALS WITH
DISABILITIES
FROM GRANTS AND DONATIONS TRUST
FUND 800,000

3161 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 209,068

3162 SPECIAL CATEGORIES
TRANSFER TO GRANTS AND DONATIONS TRUST
FUND
FROM GENERAL REVENUE FUND 296,456

3163 SPECIAL CATEGORIES
ELECTION FRAUD PREVENTION
FROM GENERAL REVENUE FUND 445,379

3164 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION
ACTIVITIES (HELP AMERICA VOTE ACT)
FROM GRANTS AND DONATIONS TRUST
FUND 2,000,000

Funds in Specific Appropriation 3164 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

To be eligible, a county must segregate federal funds 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. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining at June 30, 2011.

3165 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,222
FROM GRANTS AND DONATIONS TRUST
FUND 8,231

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
3166A DATA PROCESSING SERVICES
NORTHWOOD SHARED RESOURCE CENTER
FROM GRANTS AND DONATIONS TRUST
FUND 40,000

TOTAL: ELECTIONS
FROM GENERAL REVENUE FUND 5,944,112
FROM TRUST FUNDS 9,137,397

TOTAL POSITIONS 54.00
TOTAL ALL FUNDS 15,081,509

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 1,937,159

3167 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 1,143,302
FROM GRANTS AND DONATIONS TRUST
FUND 1,313,712
FROM OPERATING TRUST FUND 325,725

3168 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 29,317
FROM GRANTS AND DONATIONS TRUST
FUND 1,329,752
FROM OPERATING TRUST FUND 500,251

3169 EXPENSES
FROM GENERAL REVENUE FUND 498,855
FROM GRANTS AND DONATIONS TRUST
FUND 1,136,517
FROM OPERATING TRUST FUND 315,352

3170 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 15,625

3171 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 96,275
FROM GRANTS AND DONATIONS TRUST
FUND 1,017,723
FROM OPERATING TRUST FUND 226,812

3172 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION
GRANTS
FROM GENERAL REVENUE FUND 650,000
FROM OPERATING TRUST FUND 118,250

3173 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,156
FROM OPERATING TRUST FUND 12,531

3174 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,103
FROM GRANTS AND DONATIONS TRUST
FUND 12,457
FROM OPERATING TRUST FUND 2,979

3175 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GRANTS AND DONATIONS TRUST
FUND 34,746

3175A FIXED CAPITAL OUTLAY
THE GROVE - REPAIR/MAINTENANCE/ADA
COMPLIANCE - DMS MGD

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM GRANTS AND DONATIONS TRUST FUND 1,579,358

3175B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY HISTORIC PROJECT - HARRY T. AND HARRIETTE V. MOORE HOME REPLICA
FROM GENERAL REVENUE FUND 500,000

3175C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY HISTORIC PROJECT - HOLOCAUST DOCUMENTATION AND EDUCATION CENTER RAIL CAR RENOVATION
FROM GENERAL REVENUE FUND 250,000

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND 3,210,008
FROM TRUST FUNDS 7,941,790

TOTAL POSITIONS 53.00
TOTAL ALL FUNDS 11,151,798

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 3,693,674

3176 SALARIES AND BENEFITS POSITIONS 108.00
FROM GENERAL REVENUE FUND 5,078,887

3177 EXPENSES
FROM GENERAL REVENUE FUND 2,031,433

3178 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 25,920

3179 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 332,539

3180 SPECIAL CATEGORIES
RICO ACT - ALIEN CORPORATIONS
FROM GENERAL REVENUE FUND 322,797

3181 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,954

3182 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 53,407

TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS
FROM GENERAL REVENUE FUND 7,898,937

TOTAL POSITIONS 108.00
TOTAL ALL FUNDS 7,898,937

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE 3,402,530

3185 SALARIES AND BENEFITS POSITIONS 92.00
FROM GENERAL REVENUE FUND 1,843,144
FROM LIBRARY SERVICES TRUST FUND . . 1,537,168
FROM RECORDS MANAGEMENT TRUST FUND . 1,268,331

3186 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 73,251

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM LIBRARY SERVICES TRUST FUND . . 217,195
FROM RECORDS MANAGEMENT TRUST FUND . 52,412

3187 EXPENSES
FROM GENERAL REVENUE FUND 1,775,565
FROM LIBRARY SERVICES TRUST FUND . . 328,045
FROM RECORDS MANAGEMENT TRUST FUND . 635,866

3187A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY COOPERATIVES
FROM GENERAL REVENUE FUND 1,200,000

3188 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY GRANTS
FROM GENERAL REVENUE FUND 21,253,978
FROM LIBRARY SERVICES TRUST FUND . . 2,792,039

3189 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,960
FROM LIBRARY SERVICES TRUST FUND . . 40,498
FROM RECORDS MANAGEMENT TRUST FUND . 9,740

3190 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 126,764
FROM GRANTS AND DONATIONS TRUST FUND 100,000
FROM LIBRARY SERVICES TRUST FUND . . 494,687
FROM RECORDS MANAGEMENT TRUST FUND . 187,059

3191 SPECIAL CATEGORIES
LIBRARY RESOURCES
FROM GENERAL REVENUE FUND 532,289
FROM LIBRARY SERVICES TRUST FUND . . 3,250,044

3192 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 48,786

3193 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 23,126
FROM LIBRARY SERVICES TRUST FUND . . 12,829
FROM RECORDS MANAGEMENT TRUST FUND . 11,963

TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES
FROM GENERAL REVENUE FUND 26,901,863
FROM TRUST FUNDS 10,937,876

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 37,839,739

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

APPROVED SALARY RATE 1,406,242

3194 SALARIES AND BENEFITS POSITIONS 39.00
FROM GENERAL REVENUE FUND 833,157
FROM FINE ARTS COUNCIL TRUST FUND . 313,825
FROM GRANTS AND DONATIONS TRUST FUND 781,374

3195 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 35,693
FROM FINE ARTS COUNCIL TRUST FUND . 77,117
FROM GRANTS AND DONATIONS TRUST FUND 31,244

3196 EXPENSES
FROM GENERAL REVENUE FUND 244,835

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
FROM FINE ARTS COUNCIL TRUST FUND . 163,330
FROM GRANTS AND DONATIONS TRUST
FUND 693,754

3197 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS GRANTS
FROM FINE ARTS COUNCIL TRUST FUND . 297,200

3198 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 675

3200 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND MUSEUM
GRANTS
FROM GENERAL REVENUE FUND 2,000,000

Funds provided in Specific Appropriation 3200 include $1,000,000 from nonrecurring general revenue for the Lauderhill Performing Arts Center.

Funds provided in Specific Appropriation 3200 include $50,000 from nonrecurring general revenue for the Appleton Museum in Ocala.

3200A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN
HERITAGE PRESERVATION NETWORK
FROM GENERAL REVENUE FUND 250,000

3201 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 91,089
FROM FINE ARTS COUNCIL TRUST FUND . 40,000

3201A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR
THE HUMANITIES
FROM GENERAL REVENUE FUND 360,000

From the funds in Specific Appropriation 3201A, $150,000 in nonrecurring funds is provided to the Florida Humanities Council to provide Floridians and visitors the opportunity to explore the heritage, traditions, and stories of the state.

From the funds in Specific Appropriation 3201A, $210,000 in nonrecurring funds is provided to the Florida Humanities Council for the planning of commemorative activities celebrating Florida's Quincentennial.

3202 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 19,372

3203 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,468
FROM FINE ARTS COUNCIL TRUST FUND . 2,614

3203A FIXED CAPITAL OUTLAY
MUSEUM OF FLORIDA HISTORY PERMANENT
EXHIBIT
FROM GRANTS AND DONATIONS TRUST
FUND 1,000,000

3203B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CULTURAL PROJECT - MUSEUM OF DISCOVERY AND
SCIENCE, FT. LAUDERDALE
FROM GENERAL REVENUE FUND 1,000,000

TOTAL: CULTURAL AFFAIRS
FROM GENERAL REVENUE FUND 4,850,289
FROM TRUST FUNDS 3,400,458

SECTION 6 - GENERAL GOVERNMENT
SPECIFIC
APPROPRIATION
TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 8,250,747

TOTAL: STATE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 55,454,097
FROM TRUST FUNDS 32,884,875

TOTAL POSITIONS 435.00
TOTAL ALL FUNDS 88,338,972
TOTAL APPROVED SALARY RATE 17,286,735

TOTAL OF SECTION 6

FROM GENERAL REVENUE FUND 854,427,857

FROM TRUST FUNDS 3,633,706,440

TOTAL POSITIONS 18,716.25

TOTAL ALL FUNDS 4,488,134,297

SECTION 7 - JUDICIAL BRANCH

The moneys 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 5,848,635

3204 SALARIES AND BENEFITS POSITIONS 97.00
FROM STATE COURTS REVENUE TRUST
FUND 7,582,754

3205 OTHER PERSONAL SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 90,059

3206 EXPENSES
FROM STATE COURTS REVENUE TRUST
FUND 599,632

3207 OPERATING CAPITAL OUTLAY
FROM STATE COURTS REVENUE TRUST
FUND 19,371

3208 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 464,679

3209 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE
FROM STATE COURTS REVENUE TRUST
FUND 15,000

Funds in Specific Appropriation 3209 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.

3210 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE COURTS REVENUE TRUST
FUND 111,871

3211 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM STATE COURTS REVENUE TRUST

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION
FUND 248,018

3212 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE COURTS REVENUE TRUST
FUND 26,145

3213 FIXED CAPITAL OUTLAY
FIRE SUPPRESSION SYSTEM - DMS MGD
FROM STATE COURTS REVENUE TRUST
FUND 350,000

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM TRUST FUNDS 9,507,529

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 9,507,529

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,879,510

3214 SALARIES AND BENEFITS POSITIONS 174.50
FROM ADMINISTRATIVE TRUST FUND . . . 325,157
FROM STATE COURTS REVENUE TRUST
FUND 8,365,710
FROM COURT EDUCATION TRUST FUND . . 1,178,819
FROM MEDIATION AND ARBITRATION
TRUST FUND 748,910
FROM FEDERAL GRANTS TRUST FUND . . . 1,213,007

From the funds in Specific Appropriation 3214, $94,579 is provided from the Mediation and Arbitration Trust Fund for the creation of an Innocence Commission to study the causes of wrongful conviction and subsequent incarceration.

3215 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 225,104
FROM STATE COURTS REVENUE TRUST
FUND 70,981
FROM COURT EDUCATION TRUST FUND . . 105,540
FROM MEDIATION AND ARBITRATION
TRUST FUND 200,905
FROM FEDERAL GRANTS TRUST FUND . . . 115,003

From the funds in Specific Appropriation 3215, $35,905 is provided from the Mediation and Arbitration Trust Fund for the creation of an Innocence Commission to study the causes of wrongful conviction and subsequent incarceration.

3216 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 284,688
FROM STATE COURTS REVENUE TRUST
FUND 1,051,729
FROM COURT EDUCATION TRUST FUND . . 1,863,355
FROM MEDIATION AND ARBITRATION
TRUST FUND 380,962
FROM FEDERAL GRANTS TRUST FUND . . . 507,522
FROM GRANTS AND DONATIONS TRUST
FUND 89,493

From the funds in Specific Appropriation 3216, $65,138 is provided from the Mediation and Arbitration Trust Fund for the creation of an Innocence Commission to study the causes of wrongful conviction and subsequent incarceration.

3217 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 50,000
FROM STATE COURTS REVENUE TRUST
FUND 492,829
FROM COURT EDUCATION TRUST FUND . . 10,000
FROM MEDIATION AND ARBITRATION

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION
TRUST FUND 1,500
FROM FEDERAL GRANTS TRUST FUND . . . 111,376

3218 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 151,000
FROM STATE COURTS REVENUE TRUST
FUND 104,290
FROM COURT EDUCATION TRUST FUND . . 158,448
FROM MEDIATION AND ARBITRATION
TRUST FUND 129,000
FROM FEDERAL GRANTS TRUST FUND . . . 357,338
FROM GRANTS AND DONATIONS TRUST
FUND 40,000

From the funds in Specific Appropriation 3218, $4,000 is provided from the Mediation and Arbitration Trust Fund for the creation of an Innocence Commission to study the causes of wrongful conviction and subsequent incarceration.

3219 SPECIAL CATEGORIES
FLORIDA CASES SOUTHERN 2ND REPORTER
FROM STATE COURTS REVENUE TRUST
FUND 589,570

3220 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE COURTS REVENUE TRUST
FUND 37,263
FROM MEDIATION AND ARBITRATION
TRUST FUND 1,576

3221 SPECIAL CATEGORIES
COMPUTER SUBSCRIPTION SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 181,450

3222 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 246
FROM STATE COURTS REVENUE TRUST
FUND 35,646
FROM COURT EDUCATION TRUST FUND . . 4,608
FROM MEDIATION AND ARBITRATION
TRUST FUND 2,011
FROM FEDERAL GRANTS TRUST FUND . . . 4,707

3223 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000

3224 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 150,000
FROM STATE COURTS REVENUE TRUST
FUND 1,351,387
FROM FEDERAL GRANTS TRUST FUND . . . 80,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 21,771,130

TOTAL POSITIONS 174.50
TOTAL ALL FUNDS 21,771,130

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3224A SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
POSITIONS 22.00

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION

The positions authorized in Specific Appropriation 3224A 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.

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

APPROVED SALARY RATE 28,288,294

3225	SALARIES AND BENEFITS POSITIONS 436.00		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,860,127
	FROM STATE COURTS REVENUE TRUST FUND		34,736,102
3226	OTHER PERSONAL SERVICES		
	FROM STATE COURTS REVENUE TRUST FUND		66,767
3227	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .		95,198
	FROM STATE COURTS REVENUE TRUST FUND		2,582,679
3228	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		27,000
	FROM STATE COURTS REVENUE TRUST FUND		90,364
3229	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM STATE COURTS REVENUE TRUST FUND		51,790
3230	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM STATE COURTS REVENUE TRUST FUND		616,395
3231	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE COURTS REVENUE TRUST FUND		73,984
3232	SPECIAL CATEGORIES		
	DISTRICT COURT OF APPEAL LAW LIBRARY		
	FROM STATE COURTS REVENUE TRUST FUND		204,797
3233	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .		2,480
	FROM STATE COURTS REVENUE TRUST FUND		110,757
3234	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM STATE COURTS REVENUE TRUST FUND		171,100
TOTAL: COURT OPERATIONS - APPELLATE COURTS			
	FROM TRUST FUNDS		40,689,540
	TOTAL POSITIONS	436.00	
	TOTAL ALL FUNDS		40,689,540

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION
PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE 191,071,773

3238	SALARIES AND BENEFITS POSITIONS 2,947.00		
	FROM GENERAL REVENUE FUND	23,421,746	
	FROM ADMINISTRATIVE TRUST FUND . . .		70,049
	FROM STATE COURTS REVENUE TRUST FUND		209,381,493
	FROM MEDIATION AND ARBITRATION TRUST FUND		7,839,419
	FROM FEDERAL GRANTS TRUST FUND . . .		5,783,410

From the funds in Specific Appropriation 3238, the state courts system shall accelerate the implementation of the electronic filing requirements of section 16 of chapter 2009-61, Laws of Florida, by implementing five of the ten trial court divisions by January 1, 2011. The ten divisions are defined pursuant to subsection 28.36 (3), Florida Statutes.

3239	OTHER PERSONAL SERVICES		
	FROM STATE COURTS REVENUE TRUST FUND		38,000
	FROM FEDERAL GRANTS TRUST FUND . . .		125,748
3240	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .		3,928
	FROM STATE COURTS REVENUE TRUST FUND		8,116,919
	FROM MEDIATION AND ARBITRATION TRUST FUND		315,618
	FROM FEDERAL GRANTS TRUST FUND . . .		110,616
	FROM GRANTS AND DONATIONS TRUST FUND		23,750
3241	OPERATING CAPITAL OUTLAY		
	FROM STATE COURTS REVENUE TRUST FUND		286,883
3241A	LUMP SUM		
	FORECLOSURE AND ECONOMIC RECOVERY		
	FROM STATE COURTS REVENUE TRUST FUND		6,000,000
3242	SPECIAL CATEGORIES		
	CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
	FROM STATE COURTS REVENUE TRUST FUND		1,339,864
3243	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
	FROM STATE COURTS REVENUE TRUST FUND		138,240
3244	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM STATE COURTS REVENUE TRUST FUND		2,130,834
	FROM GRANTS AND DONATIONS TRUST FUND		51,250
3245	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM STATE COURTS REVENUE TRUST FUND		1,249,534
3245A	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF COMMUNITY AFFAIRS - CIVIL LEGAL ASSISTANCE FOR FORECLOSURE CASES		
	FROM MEDIATION AND ARBITRATION TRUST FUND		1,000,000

SECTION 7 - JUDICIAL BRANCH
SPECIFIC
APPROPRIATION

Funds in Specific Appropriation 3245A are provided for transfer for Civil Legal Assistance established pursuant to sections 68.094 through 68.105, Florida Statutes, to assist with foreclosure prevention and assist Florida homeowners to benefit from federal foreclosure prevention programs. Funds shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Department of Community Affairs.

3246 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE COURTS REVENUE TRUST
FUND 1,371,624

3247 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM STATE COURTS REVENUE TRUST
FUND 143,310

3248 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM MEDIATION AND ARBITRATION
TRUST FUND 3,307,332

3249 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM ADMINISTRATIVE TRUST FUND . . . 1,104,930
FROM STATE COURTS REVENUE TRUST
FUND 19,962,266

3250 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE COURTS REVENUE TRUST
FUND 729,691
FROM MEDIATION AND ARBITRATION
TRUST FUND 498
FROM FEDERAL GRANTS TRUST FUND . . . 36,621

3251 SPECIAL CATEGORIES
GRANTS AND AIDS - DRUG COURTS - AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 14,483,000

3252 SPECIAL CATEGORIES
STATE OPERATIONS - AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009
FROM FEDERAL GRANTS TRUST FUND . . . 3,150,224

3254 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 104,160

TOTAL: COURT OPERATIONS - CIRCUIT COURTS
FROM GENERAL REVENUE FUND 23,421,746
FROM TRUST FUNDS 288,399,211

TOTAL POSITIONS 2,947.00
TOTAL ALL FUNDS 311,820,957

COURT OPERATIONS - COUNTY COURTS

APPROVED SALARY RATE 54,968,832

3255 SALARIES AND BENEFITS POSITIONS 644.00
FROM GENERAL REVENUE FUND 23,523,505
FROM STATE COURTS REVENUE TRUST
FUND 50,386,552

3256 EXPENSES
FROM STATE COURTS REVENUE TRUST
FUND 3,217,164

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3257 SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM STATE COURTS REVENUE TRUST
FUND 75,000

3258 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 204,000

3259 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE COURTS REVENUE TRUST
FUND 80,474

3260 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE COURTS REVENUE TRUST
FUND 161,268

TOTAL: COURT OPERATIONS - COUNTY COURTS
FROM GENERAL REVENUE FUND 23,523,505
FROM TRUST FUNDS 54,124,458

TOTAL POSITIONS 644.00
TOTAL ALL FUNDS 77,647,963

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

APPROVED SALARY RATE 306,608

3261 SALARIES AND BENEFITS POSITIONS 5.00
FROM STATE COURTS REVENUE TRUST
FUND 392,258

3262 EXPENSES
FROM STATE COURTS REVENUE TRUST
FUND 148,694

3263 OPERATING CAPITAL OUTLAY
FROM STATE COURTS REVENUE TRUST
FUND 1,638

3264 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE COURTS REVENUE TRUST
FUND 190,475

3265 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE COURTS REVENUE TRUST
FUND 801

3266 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM STATE COURTS REVENUE TRUST
FUND 181,294

Funds in Specific Appropriation 3266 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.

3267 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE COURTS REVENUE TRUST

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FUND 1,247

TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS
FROM TRUST FUNDS 916,407

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 916,407

TOTAL: STATE COURT SYSTEM
FROM GENERAL REVENUE FUND 46,945,251
FROM TRUST FUNDS 415,408,275

TOTAL POSITIONS 4,325.50
TOTAL ALL FUNDS 462,353,526
TOTAL APPROVED SALARY RATE 289,363,652

TOTAL OF SECTION 7

FROM GENERAL REVENUE FUND 46,945,251

FROM TRUST FUNDS 415,408,275

TOTAL POSITIONS 4,325.50

TOTAL ALL FUNDS 462,353,526

SECTION 8. SALARIES AND BENEFITS - FISCAL YEAR 2010 - 2011

Statement of Purpose:

This section provides instructions for implementing the Fiscal Year 2010-2011 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

(1) EMPLOYEE AND OFFICER COMPENSATION

The elected officers, full-time members of commissions and designated employees shall be paid at the annual rate shown for the 2010-2011 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/10
Governor	$ 130,273
Lieutenant Governor	$ 124,851
Chief Financial Officer	$ 128,972
Attorney General	$ 128,972
Agriculture, Commissioner of	$ 128,972
Supreme Court Justice	$ 157,976
Judges-District Courts of Appeal	$ 150,077
Judges-Circuit Courts	$ 142,178
Judges-County Courts	$ 134,280
State Attorneys	$ 150,077
Public Defenders	$ 150,077
Commissioner-Public Service Commission	$ 130,036
Public Employees Relations Commission Chair	$ 95,789
Public Employees Relations Commission Commissioners	$ 90,724
Commissioner - Parole and Probation	$ 90,724
Criminal Conflict and Civil Regional Counsels	$ 98,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance

For the coverage period July 1, 2010, through December 31, 2010, funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program. Effective December 1, 2010, for the coverage period beginning January 1, 2011, funds are provided in each agency's budget to pay the full premium for each employee for a $25,000 life insurance policy. The Department of Management Services shall continue the optional life insurance program based on premiums paid by employees only.

(b) State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Disability Insurance Program.

(c) State Health Insurance Plans and Benefits

1. For the period July 1, 2010, through June 30, 2011, the Department of Management Services shall continue within the State Group Insurance Program a State Group Health Insurance Standard Plan, a State Group Health Insurance High Deductible Health Plan, a State-contracted Health Maintenance Organization Standard Plan, and a State-contracted Health Maintenance Organization High Deductible Health Plan. The State-contracted Health Maintenance Organization High Deductible Health Plan may be offered by each of the Health Maintenance Organizations under contract with the Department of Management Services for the 2011 Plan Year. In renewing the contracts with the health maintenance organizations for plan year 2011, the Department of Management Services must limit the increases in premiums paid on behalf of active employees and officers to no more than three percent statewide for each contract.

2. For the period July 1, 2010, through December 31, 2010, the benefits provided under the State Group Health Insurance Standard Plan, the State Group Health Insurance High Deductible Health Plan, the State-contracted Health Maintenance Organization Standard Plan, and the State-contracted Health Maintenance Organization High Deductible Health Plan, as appropriate, shall be those 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 in subparagraph 3. However, the benefits shall be modified as necessary to conform to the provisions of the Florida Clinical Trial Compact.

3. Beginning January 1, 2011, for Plan Year 2011 the following benefits provided under the State Group Health Insurance Program will be modified to include:

a. For the standard HMO plans:

i. The copayment for an urgent care physician visit shall be increased from $15 to $25 per visit;

ii. The copayment for an emergency room visit shall be increased from $50 to $100 per visit

iii. The copayment for a primary care physician visit shall be increased from $15 to $20 per visit;

iv. The copayment for a specialist physician visit shall be increased from $25 to $40 per visit;

b. For the standard PPO plan:

i. The copayment for an urgent care physician visit shall be increased from $15 to $25 per visit;

ii. The copayment for an emergency room visit shall be increased from $50 to $100 per visit

iii. Mammograms shall be deemed preventative benefits.

4. The State Group Health Insurance High Deductible Health Plan and the State-contracted Health Maintenance Organization High Deductible Health Plan shall continue to include an integrated Health Savings Account. Such plans and 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. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

(d) State Health Insurance Premiums for the Period July 1, 2010,

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through June 30, 2011

1. State Paid Premiums

a. For the coverage period July 1, 2010, through December 31, 2010, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at $473.62 per month for individual coverage and $1,004.14 per month for family coverage.

b. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective December 1, 2010, from $473.62 to $499.80 per month for individual coverage and from $1,004.14 to $1063.34 per month for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 2183A for distribution to agencies to pay the incremental cost of the premium increase, effective December 1, 2010.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay all" benefits.

i. Effective July 1, 2010, for the coverage period beginning August 1, 2010 through December 31, 2010, the state share of the State Group Health Insurance Premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall be $515.30 per month for individual coverage and $1154.14 per month for family coverage.

ii. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective December 1, 2010, from $515.30 to $541.46 per month for individual coverage and $1154.14 to $1213.34 per month for family coverage.

iii. Effective July 1, 2010, for the coverage period beginning August 1, 2010 through December 31, 2010, the state share of the State Group Health Insurance Premiums to the executive, legislative, and judicial branch agencies for each employee participating in the Spouse Program shall be $577.08 per month for family coverage.

iv. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies for employees participating in the Spouse Program shall increase, effective December 1, 2010, from $577.08 to $621.66 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2010, through June 30, 2011, the employee's share of the health insurance premiums for the standard plans shall continue at $50 per month for individual coverage and $180 per month for family coverage.

b. For the coverage period July 1, 2010, through June 30, 2011, the employee's share of the health insurance premium for the high deductible health plans shall continue at $15 per month for individual coverage and $64.30 per month for family coverage.

c. i. For the coverage period beginning July 1, 2010, through July 31, 2010, employees filling positions with "agency pay all" benefits or participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, shall be exempt from paying health insurance premiums for this period.

ii. Effective July 1, 2010, for the coverage period beginning August 1, 2010, the employee's share of the health insurance premium for the standard plans and high deductible health plans shall be $8.34 per month for individual coverage and $30 per month for family coverage. This subparagraph applies to those employees filling positions with "agency pay all" benefits.

iii. Effective July 1, 2010, for the coverage period beginning August 1, 2010, the employee's share of the health insurance premium for the standard plans and the high deductible health plans shall be $15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, either as a "spouse" or "dependent spouse".

3. Premiums Paid by Medicare Participants

a. For the coverage period July 1, 2010, through December 31, 2010, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be $278.02 for "one eligible", $801.64 for "one under/one over", and $556.04 for "both eligible."

b. For the coverage period beginning January 1, 2011, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective December 1, 2010 from $278.02 to $305.82 for "one eligible", from $801.64 to $881.80 for "one under/one over", and from $556.04 to $611.64 for "both eligible."

c. For the coverage period July 1, 2010, through December 31, 2010, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be $209.56 for "one eligible", $656.52 for "one under/one over", and $419.12 for "both eligible."

d. For the coverage period beginning January 1, 2011, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective December 1, 2010, from $209.56 to $230.52 for "one eligible", from $656.52 to $722.16 for "one under/one over", and from $419.12 to $461.04 for "both eligible."

e. For the coverage period July 1, 2010, through June 30, 2011, the monthly premiums for Medicare participants enrolled in a State-contracted Health Maintenance Organization Standard Plan or a State-contracted Health Maintenance Organization High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected State-contracted Health Maintenance Organization.

4. Premiums paid by "Early Retirees"

a. For the coverage period July 1, 2010, through June 30, 2011, an "early retiree" participating in the State Group Health Insurance 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, 2010, through December 31, 2010, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall pay a monthly premium equal to $446.96 for single coverage and $985.11 for family coverage.

c. For the coverage period beginning January 1, 2011, the monthly premium for an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall increase, effective December 1, 2010, from $446.96 to $473.12 for single coverage and $985.11 to $1,044.32 for family coverage.

5. Premiums Paid by COBRA Participants

a. For the coverage period July 1, 2010, through May 31, 2011, a COBRA participant participating in the State Group Health Insurance 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

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employee participating in the standard plan on July 1, 2009. Effective, May 1, 2011, the monthly premium shall increase to 102 percent of the total premium charged (state and employee contribution) on May 1, 2011.

b. For the coverage period July 1, 2010, through May 31, 2011, a COBRA participant participating in the State Group Health Insurance High Deductible Plan shall pay a monthly premium equal to $455.90 for single coverage and $1,004.81 for family coverage.

c. For the coverage period beginning June 1, 2011, the monthly premium for a COBRA participant in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2011, from $455.90 to $482.60 for single coverage and $1004.81 to $1,067.24 for family coverage.

e) 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. For the period July 1, 2010, through December 31, 2010, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

a. $10 co-payment for generic drugs with card;
b. $25 for preferred brand name drug with card;
c. $40 nonpreferred brand name drug with card;
d. $20 for generic mail order drug;
e. $50 for preferred brand name mail order drug;
f. $80 for nonpreferred brand name mail order drug;

3. For the period January 1, 2011, through June 30, 2011, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

a. $7 co-payment for generic drugs with card;
b. $30 for preferred brand name drug with card;
c. $50 nonpreferred brand name drug with card;
d. $14 for generic mail order drug;
e. $60 for preferred brand name mail order drug;
f. $100 for nonpreferred brand name mail order drug;

4. For the period July 1, 2010, through June 30, 2011, coinsurance for the State Group Health Insurance High Deductible Plan continue as provided in section 112.12315(7), Florida Statutes.

5. For the 2011 Plan Year, and notwithstanding the provisions of subparagraph 3. to the contrary, for the purpose of encouraging an individual to change from brand name drugs to generic drugs, the department may waive co-payments for a six months' supply of a generic statin or a generic proton pump inhibitor.

6. 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.

7. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order. Those drugs on the list may be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order.

(e) For the period July 1, 2010, through June 30, 2011, the co-payments and coinsurance for prescription drugs with state-contracted health maintenance organizations shall be identical to the copayments and coinsurance established under the State Employees' Prescription Drug Program.

(f) The HMO and PPO pharmacy plans shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate copayments and deductibles when applicable. The smoking cessation prescription drug benefit shall be limited to up to a six month supply within any plan year and a maximum lifetime benefit of no more than nine months supplied.

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3) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

4. No state agency may expend funds provided in this act for bar dues.

(b) All state branches, departments, and agencies which have established or approved personnel policies for 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.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2010-2011 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable administrative rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2010-2011 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators and as breath test operators/inspectors.

(e) The Fish and Wildlife Conservation Commission and the Department of Highway Safety and Motor Vehicles are authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(f) The Department of Transportation is authorized to continue

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its training program for employees in the field of transportation engineering under the same guidelines established for the training program prior to June 30, 2006.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Transportation is authorized to continue to grant a pay additive of $75 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(j) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans.

(k) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(5) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and the Florida Nurses Association relating to wages and other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(3) OTHER BENEFITS", and Item "(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS."

(b) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and the Florida Nurses Association relating to insurance benefits 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.

SECTION 9. The detailed expenditure plan and budget for any federal funds distributed to Florida pursuant to the "Keep Our Educators Working Act," or similar legislation, shall be subject to review and approval by the Legislative Budget Commission pursuant to chapter 216, Florida Statutes.

SECTION 10. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System 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 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. Edison State College - Acquire Winkler Properties land/facilities

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and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Lee Campus.

2. Edison State College - Acquire Heronwood Apartments land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Lee Campus.

3. Edison State College - Acquire NRS Ventures LLC Omega Healthcare Investors land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Lee Campus.

4. Edison State College - Construct eLearning Center addition from local funds at the State Board of Education approved Lee Campus.

5. Edison State College - Construct classroom building from local funds at the State Board of Education approved Lee Campus.

6. Palm Beach State College - Construct technical education and training center facility from local funds at the State Board of Education approved Belle Glades Center.

7. Polk State College - Construct Institute for Public Safety facility from local funds at the State Board of Education approved Winter Haven Campus.

8. Seminole State College of Florida - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Sanford/Lake Mary Campus.

9. Seminole State College of Florida - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the State Board of Education approved Altamonte Springs Campus.

10. Tallahassee Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support space and parking for the Advanced Manufacturing Training Center at the State Board of Education approved Main Campus.

SECTION 11. Whichever is less, the unexpended balance or $600,000, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Florida Community College at Jacksonville for Rem/ren New space w/ back fill replacement - Deerwood for $4,066,504, shall revert immediately and is appropriated to Florida State College at Jacksonville for General Renovation/Remodeling Collegewide.

SECTION 12. The unexpended balance or $500,000, whichever is less, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Florida Keys Community College for Rem/ren Lib, Multimedia & Marine Propul Bldgs - Main part for $1,662,201, shall revert immediately and is appropriated to Florida Keys Community College for General Renovation/Remodeling Collegewide.

SECTION 13. The unexpended balance or $1,050,047, whichever is less, from the funds provided in Specific Appropriation 22 of chapter 2004-268, Laws of Florida, for Gulf Coast Community College for Adjacent land acquisition - Main (spc) for $1,050,047, shall revert immediately and is appropriated to Gulf Coast Community College for the construction of Corporate Training and Technology Center - Main (ce).

SECTION 14. The unexpended balance or $2,000,000, whichever is less, from the funds provided in Specific Appropriation 19 of chapter 2005-70, Laws of Florida, for Gulf Coast Community College for Adjacent land acquisition - Main (spc) for $2,000,000, shall revert immediately and is appropriated to Gulf Coast Community College for the construction of Corporate Training and Technology Center - Main (ce).

SECTION 15. The unexpended balance or $500,000, whichever is less, from the funds provided in Specific Appropriation 30 of chapter 2006-25, Laws of Florida, for Gulf Coast Community College for land & facilities

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acquisition - Collegewide part (spc) for $500,000, shall revert immediately and is appropriated to Gulf Coast Community College for the construction of Corporate Training and Technology Center - Main (ce).

SECTION 16. The unexpended balance or $1,250,000, whichever is less, from the funds provided in Specific Appropriation 26 of chapter 2007-72, Laws of Florida, for Gulf Coast Community College for Land & facilities acquisition - Collegewide part (spc) for $1,250,000, shall revert immediately and is appropriated to Gulf Coast Community College for the construction of Corporate Training and Technology Center - Main (ce).

SECTION 17. The unexpended balance or $299,953, whichever is less, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Gulf Coast Community College for Land & facilities acquisition - Collegewide (spc) for $299,953, shall revert immediately and is appropriated to Gulf Coast Community College for the construction of Corporate Training and Technology Center - Main (ce).

SECTION 18. Whichever is less, the unexpended balance or $82,270, from the funds provided in Specific Appropriation 30 of chapter 2006-25, Laws of Florida, for Hillsborough Community College for Admin/Science/Stu Svcs Bldgs - Plant City for $3,198,464, and which was reappropriated in

Section 11 of chapter 2008-152, Laws of Florida, shall revert immediately and is appropriated to Hillsborough Community College for Remodel/Renovate Library Floors 1, 2 & 3 - Ybor City.

SECTION 19. Whichever is less, the unexpended balance or $351,193, from the funds provided in Specific Appropriation 26 of chapter 2007-72, Laws of Florida, for Hillsborough Community College for Rem/ren Admin, Arts Bldgs w/addition - Ybor City for $1,042,899, shall revert immediately and is appropriated to Hillsborough Community College for Remodel/Renovate Library Floors 1, 2 & 3 - Ybor City.

SECTION 20. Whichever is less, the unexpended balance or $2,706,884, from the funds provided in Specific Appropriation 26 of chapter 2007-72, Laws of Florida, for Hillsborough Community College for Student Services Bldgs - Ybor City part (ce) for $18,281,359, shall revert immediately and is appropriated to Hillsborough Community College for Remodel/ Renovate Library Floors 1, 2 & 3 - Ybor City.

SECTION 21. The unexpended balance from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Manatee Community College for Rem/ren Library Bldg - Main Partial for $4,668,793, shall revert immediately and is appropriated to State College of Florida, Manatee-Sarasota for Rem/Ren/Addition for Buildings 8 & 9 - Main partial.

SECTION 22. Whichever is less, the unexpended balance or $1,318,000, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Okaloosa-Walton College for Classrm Bldg - South Walton County Center complete (ce) for $3,899,914, shall revert immediately and is appropriated to Northwest Florida State College for Site/Infrastructure Improvements - Niceville.

SECTION 23. Whichever is less, the unexpended balance or $2,000,000, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for St. Johns River Community College for Health/Sci Prototype Bldg St. Augustine part (spc) for $7,997,000, shall revert immediately and is appropriated to St. Johns River Community College for General Remodeling/Renovation - Orange Park.

SECTION 24. Whichever is less, the unexpended balance or $1,830,000, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Valencia Community College for Allied Health Bldg. 10 - West complete (ce) for $15,502,371, shall revert immediately and is appropriated to Valencia Community College for Construct Building 1 - Southeast (pc).

SECTION 25. Whichever is less, the unexpended balance or $1,472,690 from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Valencia Community College for Rem/ren Clsrms/Labs Bldgs 1, 3, 4 - West for $3,864,000, shall revert

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immediately and is appropriated to Valencia Community College for Construct Building 1 - Southeast (pc).

SECTION 26. Whichever is less, the unexpended balance or $1,472,690, from the funds provided in Specific Appropriation 20 of chapter 2008-152, Laws of Florida, for Valencia Community College for Joint-use Classrooms/Labs/Student Services w/ UCF - West complete (ce) for $11,250,000, shall revert immediately and is appropriated to Valencia Community College for Renovation/Remodel Buildings 7 and 9 - West.

SECTION 27. Pursuant to s. 1013.74 and s. 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion may require general revenue funds for operation.

1. UF - Minor Projects for UF Facilities
2. UF/HSC - Minor Projects for HSC Facilities
3. UF/IFAS - Minor Projects for IFAS Facilities
4. UF - Chemical Engineering Building
5. UF - Florida Innovation Hub at UF
6. UF - Trial Advocacy Center Phase III
7. UF - New Pharmacy Building Apopka/Orlando
8. UF - IFAS Mid-Florida REC Multi-Purpose Facility
9. FSU - Minor Projects for FSU Facilities
10. FSU - Commonwealth 2 Building
11. FSU - Bloxham Annex Complex
12. FSU - Firestone Buildings
13. FSU - Warren Building
14. FSU - Winchester Building
15. FSU - Research Facility No. 4 Utility Building
16. FSU - Applied Sciences Building
17. FSU - Free Electron Laser Laboratory
18. USF - Sun Dome Arena Renovation, Academic Classroom
19. FAU - Aristotle Center
20. UCF - University Tower
21. UCF - Bio-Molecular Annex
22. UCF - Career Services & Experiential Learning
23. UCF - Bio-Medical Enhancement
24. UCF - Laboratory Instruction Building
25. UCF - Biological Transgenic Green House
26. UCF - Bennett Building
27. UCF - Visitor Information Building
28. UCF - Medical Library
29. UCF - Honors Living and Learning Center
30. UCF - Bio-Medical Science Center
31. UCF - Research Pavilion
32. UCF - University Tech Center (Suites 300, 360, 390 and 200)
33. UCF - Orlando Tech Center
34. UCF - Academic Center
35. UCF - AMPAC Building
36. UCF - Wild Animal Facility
37. UCF - Engineering Field House Expansion
38. UCF - Police Training Facility
39. UCF - Counseling Center
40. FIU - Stadium/Student Academic Meeting Rooms
41. FIU - Labor Center E&G Space
42. FIU - University House E&G Space
43. FIU - SAAC E&G Space
44. FIU - Department of Health/FIU Public Health Building
45. FIU - PG-5 Classrooms
46. FGCU - Innovation Hub
47. NEWC - Public Archeology Lab
48. NEWC - Greenhouse
49. UF - Clinical Translational Research Building
50. UF - Bureau of Business Economic Research (BBER) Building
51. UF - Veterinary Medicine Teaching Auditorium
52. UF - College of Fine Arts
53. UCF - Intersil Building

SECTION 28. The unexpended balance or $82,086, whichever is less, from the funds provided in Specific Appropriation 31 of chapter 2006-25, Laws of Florida, for the New College of Florida for Land Acquisition shall revert immediately and is appropriated to New College of Florida for Hamilton Center (C,E).

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SECTION 29. The unexpended balance or $2,000,000, whichever is less, from the funds provided in Specific Appropriation 17 of chapter 2009-81, Laws of Florida, for the Florida State University for Academic Support Building shall revert immediately and is appropriated to the Florida State University for Utilities/ Infrastructure/ Capital Renewal/ Roofs.

SECTION 30. The unexpended balance or $2,000,000, whichever is less, from the funds provided in Specific Appropriation 17 of chapter 2009-81, Laws of Florida, for the Florida State University for Dittmer Building Remodeling shall revert immediately and is appropriated to the Florida State University for the Applied Sciences Building (P,C).

SECTION 31. The unexpended balance or $1,100,000, whichever is less, from the funds provided in Specific Appropriation 15A of chapter 2008-152, Laws of Florida, for the Florida State University Student Success Building shall revert immediately and is appropriated to the Florida State University as follows: $300,000 for Campus Recreation Equipment and up to $800,000 for Oglesby Union Facility Improvements.

SECTION 32. The unexpended balance or $1,686,722, whichever is less, from the funds provided in Specific Appropriation 17 of chapter 2009-81, Laws of Florida, for the Florida International University for the Student Academic Support Center shall revert immediately and is appropriated to the Florida International University for Science/Classroom Complex.

SECTION 33. The unexpended balance or $66,889, whichever is less, from the funds provided in Specific Appropriation 18 of chapter 2008-152, Laws of Florida, to the PK Yonge Developmental Research School at University of Florida for maintenance, repair, renovation, and remodeling shall revert immediately and is appropriated to the PK Yonge Developmental Research School at the University of Florida for the purpose of the demolition of existing buildings and construction of a new elementary school building.

SECTION 34. The unexpended balance or $1,012,724, whichever is less, from the funds provided in Specific Appropriation 19 of chapter 2008-152, Laws of Florida, to the PK Yonge Developmental Research School at University of Florida for fixed capital outlay survey recommended needs shall revert immediately and is appropriated to the PK Yonge Developmental Research School at the University of Florida for the purpose of the demolition of existing buildings and construction of a new elementary school building.

SECTION 35. The sum of $304,869 is appropriated from the Capital Improvements Fee Trust Fund to the University of South Florida for the USF Polytechnic Student Center.

SECTION 36. The sum of $2,192,553 is appropriated from the Public Education Capital Outlay Trust Fund to the PK Yonge Developmental Research School at the University of Florida for the purpose of the demolition of existing buildings and construction of a new elementary school.

SECTION 37. Pursuant to section 1010.62, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

UCF Strategic Land and Property Purchase
UCF Brighthouse Networks Tower Expansion
UCF Athletics Facilities Expansion
USF Sun Dome Arena Renovation
USF Athletic District
USF Center for Advanced Medical Learning & Simulation
UNF Student Wellness and Sports Education Center

SECTION 38. The unexpended balance or $1,038,817, whichever is less, from the funds provided in Specific Appropriation 15A of chapter 2008-152, Laws of Florida, for the FAU Renovation to Student Life Building - Treasure Coast shall revert immediately and is appropriated to Florida Atlantic University for the FAU Innovation Village Project.

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SECTION 39. The unexpended balance or $625,000, whichever is less, from the funds appropriated in Specific Appropriation 31A of chapter 2006-25, Laws of Florida, for the USF/PCC Joint-Use Facility shall revert immediately and is appropriated to the University of South Florida Polytechnic for the USF Polytechnic New Campus Phase I for infrastructure needs.

SECTION 40. The sum of $32,500,000 in nonrecurring funds is appropriated from the Public Facilities Financing Trust Fund to the Florida International University for the construction of the FIU/Miami Dade County Health Department/Florida Department of Health facility. This appropriation is subject to approval by the Legislative Budget Commission. Such approval will include the issuance of bonds through the Florida Facilities Pool Revenue Bond Program for the construction and management of the facility.

SECTION 41. The sum of $196,939 shall be reduced from Specific Appropriation 1 of chapter 2009-81, Laws of Florida, for Fiscal Year 2009-2010. This section shall take effect immediately upon becoming law.

SECTION 42. The sum of $7,321,332 shall be reduced from Specific Appropriation 2 of chapter 2009-81, Laws of Florida, for Fiscal Year 2009-2010. This section shall take effect immediately upon becoming law.

SECTION 43. The sum of $7,400,000 in nonrecurring funds is appropriated from the Educational Enhancement Trust fund to the Department of Education for Florida's Bright Futures Scholarship Program for Fiscal Year 2009-2010. This section shall take effect immediately upon becoming law.

SECTION 44. There is appropriated $25,030,829 in nonrecurring funds from the General Revenue Fund to the Department of Education and $25,030,829 in nonrecurring funds from the Employment Security Administration Trust Fund to the Agency for Workforce Innovation for the Voluntary Prekindergarten Program for the 2009-2010 fiscal year to meet the needs of increased student enrollment. The funds shall be allocated to Early Learning Coalitions according to Specific Appropriation 74 of chapter 2009-81, Laws of Florida. However, the Agency for Workforce Innovation is authorized to reallocate coalition funding between fund sources in such a manner that each coalition's total appropriation does not change. This section shall take effect immediately upon becoming law.

SECTION 45. There shall be a reduction of $65,300,000 from the funds provided from the Principal State School Trust Fund in Specific Appropriation 76 of chapter 2009-81, Laws of Florida, and $65,300,000 is appropriated in nonrecurring funds from the General Revenue Fund for the 2009-2010 fiscal year to be used for the same purpose. This section shall take effect immediately upon becoming law.

SECTION 46. There shall be a reduction of $6,700,000 from the funds provided from the Educational Enhancement Trust Fund in Specific Appropriation 6 of chapter 2009-81, Laws of Florida, and $6,700,000 is appropriated in nonrecurring funds from the General Revenue Fund for the 2009-2010 fiscal year to be used for the same purpose. This section shall take effect immediately upon becoming law.

SECTION 47. There is appropriated $87,251,215 in nonrecurring funds from the Food and Nutrition Services Trust Fund to the Department of Education from increases in federal funds for the 2009-2010 fiscal year to be provided to school districts for increased federal reimbursements for the National School Lunch Program. This section shall take effect immediately upon becoming law.

SECTION 48. There is appropriated $111,456 in nonrecurring funds from the Food and Nutrition Services Trust Fund to the Department of Education from increases in federal reimbursement funds for the 2009-2010 fiscal year to be used in the Expenses appropriation category to administer the National School Lunch Program. This section shall take effect immediately upon becoming law.

SECTION 49. There is appropriated $4,600,000 in nonrecurring funds from the Federal Grants Trust Fund to the Department of Education from the Title 1, Part B, Reading First Grant for the 2009-2010 fiscal year

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to be provided to public schools for reading programs. This section shall take effect immediately upon becoming law.

SECTION 50. There is appropriated $397,300 in nonrecurring funds from the Food and Nutrition Services Trust Fund to the Department of Education from increases in federal reimbursement funds for the 2009-2010 fiscal year to be used in the Contracted Services appropriation category to administer the National School Lunch Program. This section shall take effect immediately upon becoming law.

SECTION 51. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendments EOG #B0029, EOG #B0283 and EOG #B0498 to provide budget authority for the Early Learning Information System shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 52. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendment EOG #B0156 which transferred Child Care and Development Fund American Recovery and Reinvestment Act funds between categories shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 53. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendment EOG #B0379 and EOG #B7035 which transferred Workforce Investment Act American Recovery and Reinvestment Act funds between categories shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 54. The unexpended balance of funds provided in Specific Appropriations 2110A, 2110B, 2118A, 2118B, 2118C, 2124A, 2131A, 2131B, 2131C, 2131D, 2139A, 2147A, 2147B, 2161A, 2161B, and 2161C of Chapter 2009-81, Laws of Florida, shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purposes.

SECTION 55. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendments EOG #B0160, EOG #B0284 and EOG #B0496 to provide budget authority for the Unemployment Compensation Program shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 56. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendment EOG #B0285 to assist in improving labor market statistics shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 57. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendments EOG #B0227, EOG #B0381, and EOG #B0497 to provide additional subsidized employment services to eligible individuals shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 58. The unexpended balance of funds provided to the Agency for Workforce Innovation pursuant to budget amendments EOG #B2009-0645, EOG #B2009-0646, EOG #B2009-0647, EOG #B2009-0648, and EOG #B2009-0653, and subsequently reverted and reappropriated in Section 85 of Chapter 2009-81, Laws of Florida, shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Agency for Workforce Innovation for the same purpose.

SECTION 59. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0689 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Workforce Innovation for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

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SECTION 60. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0025 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Workforce Innovation for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2010-2011 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 61. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0026 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Workforce Innovation for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2010-2011 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 62. The sum of $2,668,864 from the unexpended balance of funds at the Florida Housing Finance Corporation shall be returned to the General Revenue Fund to satisfy the Florida Housing Finance Corporation's outstanding obligation, as of December 31, 2009, to pay the service charge to general revenue pursuant to section 420.5061, Florida Statutes.

SECTION 63. The unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management for domestic security issues in Specific Appropriation 2096A of Chapter 2009-081, Laws of Florida, and subsequently distributed to the Department of Community Affairs pursuant to budget amendment EOG #B2010-0014, and the unexpended balance of funds provided to the Department of Community Affairs, Division of Emergency Management pursuant to budget amendment EOG #B2010-0005 and Section 62 of Chapter 2009-081, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2010-2011 to the Department of Community Affairs for the same purpose. The agency is authorized to reallocate appropriations between any of the funded projects approved by the Domestic Security Oversight Council.

SECTION 64. The unexpended balance of funds provided in Specific Appropriation 1540A of Chapter 2008-152, Laws of Florida, shall revert immediately and is appropriated for Fiscal Year 2010-11 for the nonrecurring operational needs of the Regional Hurricane Shelter/Community Health Center, Pasco County.

SECTION 65. The unexpended balance of funds provided in Specific Appropriation 1559B of Chapter 2009-81, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2010-2011 to the Department of Community Affairs for the same purpose.

SECTION 66. The unexpended balance of funds provided in Specific Appropriation 1488 of Chapter 2009-81, Laws of Florida, and that portion which was subsequently distributed to the Department of Community Affairs, Division of Emergency Management, pursuant to budget amendment EOG #B2010-0023, is hereby reverted and reappropriated for Fiscal Year 2010-2011 to the Department of Community Affairs for the same purpose.

SECTION 67. The unexpended balance of funds provided in Specific Appropriation 1491 of Chapter 2009-81, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2010-2011 to the Department of Community Affairs for the same purpose.

SECTION 68. The unexpended balance of funds provided pursuant to budget amendment EOG #B2010-0486 is hereby reverted and reappropriated for Fiscal Year 2010-2011 to the Department of Community Affairs for the same purpose.

SECTION 69. The unexpended balance of funds provided in Specific Appropriation 1661, of Chapter 2008-152, Laws of Florida, and subsequently transferred to the Department of Community Affairs to establish the Working Waterfronts Program pursuant to section 40, Chapters 2008-153 and 2008-229, Laws of Florida, shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Department of Community Affairs from the Florida Forever Trust Fund for projects meeting program criteria, including up to $2,000,000 for a project in Citrus County. That project must protect the interests of the people of Florida through the preservation of green space, the

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protection of habitat for federally protected species, the protection of the aquifer through the retirement of water rights, and the retention of public access to the waterfront. The grant may be used in combination with funding from other governmental and private sources to pay up to the appraisal value established by federal or state entities. This section is effective upon becoming law.

SECTION 70. Of the unexpended balance of funds provided in Specific Appropriations 1661, of Chapter 2008-152, Laws of Florida, $2,000,000 shall revert immediately. The funds are hereby appropriated to the Department of Community Affairs from the Florida Forever Trust Fund for the Working Waterfronts Program for the original purposes of the program.

SECTION 71. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in budget Amendment EOG #B0675 as submitted on April 26, 2010, by the Governor on behalf of the Department of Community Affairs for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 72. The unexpended balance of funds appropriated in Specific Appropriation 2649 of Chapter 2008-152 for improvements to Launch Complex 36 on the 45th Space Wing property, shall revert immediately and is reappropriated for Fiscal Year 2010-2011 from the Economic Development Transportation Trust Fund for improvements to other launch complexes and space transportation facilities in order to attract new space vehicle testing and launch business to the state; to address intermodal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; to advance aerospace technology to meet the current and future needs of the United States commercial space transportation industry; and to assist in the development of joint-use facilities and technology that support aviation and aerospace operations, including high altitude and suborbital flights and range technology development. This section shall take effect upon becoming law.

SECTION 73. The nonrecurring sum of $75,000,000 is appropriated from the General Revenue Fund to the Executive Office of the Governor, Office of Tourism, Trade and Economic Development, for the Innovation Incentive Program as defined in Section 288.1089, Florida Statutes.

The funding provided in this section is contingent upon the enactment of federal law which extends the enhanced Federal Medicaid Assistance Percentage rate, as provided under the American Reinvestment and Recovery Act. (P.L. 111-5), from December 31, 2010, through June 30, 2011.

Of the funds provided in this section, $50,000,000 from nonrecurring general revenue are part of a maximum three year commitment of $130,000,000, subject to annual appropriation, to fund the development of a research institute focused on genetics and personalized medicine. Any applicant, to be eligible to apply, must have a demonstrated history of genetic research, of earning national research grants, and of establishing global partnerships and commercializing its research, and must meet the requirements provided below. Before receiving state funds, the approved entity must enter into an agreement with the Office of Trade, Tourism and Economic Development (OTTED) that, in addition to the criteria and contract requirements established in Section 288.1089, Florida Statutes, will meet the following requirements:

1) The mechanism to provide local matching funds will be adopted by the local government within 120 days of the grant award from OTTED, and such local commitment must include at least $130,000,000 of cash, committed future revenues which OTTED determines to have a value of $130,000,000, land or infrastructure, or some combination thereof equaling $130,000,000;

2) As part of the local match requirements in Section 288.1089, Florida Statutes, the project must have secured a site of sufficient size, and construction shall commence within 60 days of adoption of the local matching funds mechanism;

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3) Within 180 days of the award being granted, the entity, in coordination with public and private partnerships, shall commence a philanthropic campaign of up to $120,000,000. Revenues derived from such a campaign may include but are not limited to cash or credit worthy personal guarantees of philanthropic support. This effort must document with OTTED the expected fundraising benchmarks for the first, fifth and tenth year of the project;

4) The entity may not have received prior funding from the Florida Innovation Incentive fund or any other state funds;

5) The site of the facility should be within 25 miles of a state designated rural area of critical economic concern;

6) Specific deadlines for construction and employment; and

7) The project will attract substantial additional economic activity to the region.

The grant may be awarded, but no funds may be released if these requirements are not met. If these requirements are not met by March 1, 2011, the funds provided above shall revert to the General Revenue Fund.

SECTION 74. The sum of $19,000,000 in nonrecurring funds is appropriated from the General Revenue Fund for Fiscal Year 2009-2010 to the Highway Safety Operating Trust Fund in the Department of Highway Safety and Motor Vehicles for the purpose of funding the general operations of the department. This section shall take effect upon becoming law.

SECTION 75. The sum of $800,000 in nonrecurring funds is appropriated from the Highway Safety Operating Trust Fund in Fiscal Year 2009-2010 to the Department of Highway Safety and Motor Vehicles in the Data Processing Services Southwood Shared Resource Center appropriation category for the payment of invoice obligations relating to mainframe data processing services. This section shall take effect upon becoming law.

SECTION 76. The unexpended balance of funds appropriated in Section 65 of chapter 2009-81, Laws of Florida, to the Tampa Bay Area Regional Transportation Authority shall revert immediately and is appropriated for Fiscal Year 2010-2011 for the same purpose.

SECTION 77. The nonrecurring sum of $40,000,000 is appropriated from the General Revenue Fund to restore reductions to the State Transportation Trust Fund and to provide funding to the Department of Transportation Work Program.

This funding is contingent upon the enactment of federal law which extends the enhanced Federal Medicaid Assistance Percentage rate, as provided under the American Reinvestment and Recovery Act (P.L. 111-5), from December 31, 2010, through June 30, 2011.

SECTION 78. The unexpended balance of funds provided pursuant to Chapter 2009-81, section 67, Laws of Florida and approved budget amendment: EOG #W2009-0082, dated April 15, 2009, for the Transportation Infrastructure - American Recovery and Reinvestment Act of 2009 (088825) appropriation category in the Department of Transportation, shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Department of Transportation for the same purpose.

SECTION 79. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0635 as submitted on April 26, 2010, by the Governor on behalf of the Department of Transportation for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 80. There is hereby appropriated $255,839,873 in nonrecurring funds from the General Revenue Fund, $899,837,794 in nonrecurring funds from the Medical Care Trust Fund, and $12,281,452 in nonrecurring funds from the Refugee Assistance Trust Fund to the Agency for Health Care Administration to cover Fiscal Year 2009-2010 Medicaid Program costs.

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This section shall become effective upon becoming law.

SECTION 81. There shall be a reduction of $7,300,000 from the funds provided from the Tobacco Settlement Trust Fund in Specific Appropriation 202 of chapter 2009-81, Laws of Florida. This section shall become effective upon becoming law.

SECTION 82. The unexpended balance of $250,000 appropriated in Specific Appropriation 190 of chapter 2009-81, Laws of Florida, to the Miami-Dade Premium Assistance Program shall revert immediately and is reappropriated for the Fiscal Year 2010-2011 for the same purpose.

SECTION 83. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0658 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Health Care Administration for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 84. Agency For Health Care Administration:

If Florida is eligible to receive federal funds, based on the state's Federal Medical Assistance Percentage (FMAP), in excess of the February 2010 official Social Services Estimating Conference estimate on Medicaid services:

(1) Each affected agency shall realign its associated budget authority provided in this Act, and any subsequent amendments thereto. The affected agencies shall submit budget amendments in accordance with the provisions of chapter 216, Florida Statutes, within 30 days of such a federal change becoming law. The amendments shall reduce the state's reliance on general revenue within the respective programs by realigning associated budget authority provided in this Act, and any subsequent amendments thereto for the receipt of the additional federal funds, while preserving the total funding level anticipated within this Act, and any subsequent amendments thereto. In the event an affected agency does not have sufficient trust fund budget authority to implement the provisions of this section, the affected agency is directed to include the request for increased trust fund authority in its budget amendments.

(2) If budget amendments offered pursuant to subsection (1) are approved pursuant to the provisions of Chapter 216, Florida Statutes:

(a) The provisos following Specific Appropriations 189, 191, and 194 are repealed and the following provisos shall apply to those specific appropriations respectively:

SPECIAL CATEGORIES HOSPITAL INPATIENT SERVICES
(Specific Appropriation 189)

From the funds in Specific Appropriation 189, $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 315 and 340.

From the funds in Specific Appropriation 189, $168,300 from the General Revenue Fund is provided to Lee Memorial Hospital for the Regional Perinatal Intensive Care Center (RPICC) Program.

Funds in Specific Appropriation 189, reflect a reduction of $89,249,983 from the General Revenue Fund, $142,971,624 from the Medical Care Trust Fund, and $162,370 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for inpatient hospital rates. The agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in

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establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals as defined in section 395.602, Florida Statutes are excluded from this reduction.

From the funds in Specific Appropriation 189, $50,475,307 from the Grants and Donations Trust Fund and $105,505,245 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 or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, such hospitals shall be exempt from the inpatient reimbursement ceilings contingent on the hospital or local governmental entity providing the required state match. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available. Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meet the 11 percent threshold, because of updated audited DSH data shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriation 189, $1,533,068 from the Grants and Donations Trust Fund and $3,204,471 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 189, $38,375,670 from the Grants and Donations Trust Fund and $80,214,163 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, 2010, and any hospitals that becomes a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in Section 12, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited Disproportionate Share Hospital (DSH) data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited Disproportionate Share Hospital (DSH) data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

Funds in Specific Appropriation 189 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 189, $3,213,995 from the Grants and Donations Trust Fund and $6,718,005 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 beneficiaries.

From the funds in Specific Appropriation 189, $5,000,000 from the General Revenue Fund, $120,941,561 from the Grants and Donations Trust

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Fund and $263,247,441 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. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in Section 12, chapter 2007-326, Laws of Florida.

From the funds in Specific Appropriation 189, $4,197,807 from nonrecurring General Revenue funds, $56,506,260 from the Grants and Donations Trust Fund, and $126,885,758 from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for the following four categories of hospitals. Of these funds $48,128,343 is provided to the first category of hospitals, which are those hospitals that are part of a system that operates a provider service network in the following manner: $18,773,903 is for Jackson Memorial Hospital; $3,293,203 is for hospitals in Broward Health as follows: Broward General $629,439, Coral Springs $1,389,685, Imperial Point $705,060, and North Broward $569,019; $6,917,948 is for hospitals in the Memorial Healthcare System as follows: Memorial Hospital $3,285,744, Memorial Hospital Pembroke $555,753, Memorial Hospital Miramar $1,091,940, and Memorial Hospital West $1,984,511; $760,226 is for Shands Jacksonville and $18,383,063 is for Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the inpatient rate. Of the above funds, $12,139,819 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. Of the above funds, $5,475,985 shall be used for the third category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates to rural hospitals. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. Of the above funds, $121,845,676 shall be used for the fourth category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates to teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and for designated trauma hospitals on or before February 1, 2010. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. For this section of proviso the agency shall use the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

From the funds in Specific Appropriation 189, $70,121,480 from the Grants and Donations Trust Fund and $146,570,363 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and for designated trauma hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the

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individual state mental health hospitals.

From the funds in Specific Appropriation 189, $83,208,892 from the Grants and Donations Trust Fund and $173,926,127 from the Medical Care Trust Fund are provided for hospitals, not previously included in the proviso above, to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buyback of reductions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 189, $12,944,000 from the Grants and Donations Trust Fund and $27,056,000 from the Medical Care Trust Fund are provided for hospitals not previously included in the proviso above to allow for exemptions from inpatient reimbursement limitations for any hospital that has local funds available for IGTs. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buyback of exemptions to inpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriations 189 and 203, $1,941,600 from the Grants and Donations Trust Fund and $4,058,400 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplant and intestine transplants in Florida. The agency shall establish a reasonable global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the non-federal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 189, $283,150 from the Grants and Donations Trust Fund and $591,850 from the Medical Care Trust Fund are provided to adjust the Medicaid rate for any rural hospital that moved into a replacement facility during calendar year 2009 to reflect Medicaid costs for the period of time from moving into the replacement facility to when the rate would reflect the costs of the replacement facility through the routine rate setting process. To qualify for this adjustment a hospital must have a combined Medicaid and charity care utilization rate of at least 25 percent based on the most recent information reported to the Agency for Health Care Administration prior to moving into the replacement facility. This rate adjustment is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds that do not increase the current requirement for state general revenue or tobacco settlement trust funds.

SPECIAL CATEGORIES LOW INCOME POOL (Specific Appropriation 191)

From the funds in Specific Appropriation 191, $5,052,235 from the Grants and Donations Trust Fund and $10,560,360 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals operating as designated or provisional trauma centers and rural hospitals. Hospitals that are designated or provisional trauma centers shall be paid $9,449,574. Of that amount, $4,135,321 shall be distributed equally among hospitals that are a Level I trauma center; $3,391,586 shall be distributed equally among hospitals that are either a Level II or pediatric trauma center; and $1,922,667 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 $6,163,021 distributed in the same

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proportion as the DSH payments.

From the funds in Specific Appropriation 191, $25,000,000 from nonrecurring general revenue funds, $212,882,282 from the Grants and Donations Trust Fund and $497,229,839 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals provider access systems. The funding shall be distributed in a two-step allocation process. The first phase of the allocation process shall distribute payments to qualified hospitals based on the amount of local government funding provided for the uninsured and underinsured. Payments to qualified hospitals shall be capped at 114.6 percent of the amount of local government funding it would have received for the uninsured and underinsured without the Low Income Pool program. The second phase of the allocation process is to distribute the remaining funds based on a hospital's 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 of all qualifying hospitals. To receive funds in this distribution, the 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. Of the funds allocated in the second phase, $2,419,573 shall be allocated to the rural hospitals and the remaining funds shall be allocated to the remaining hospitals that qualify for a distribution. All hospitals with accepted 2008 Financial Hospital Uniform Reporting System (FHURS) data are eligible for the second phase of the allocation process.

From the funds in Specific Appropriation 191, $499,867 from the Grants and Donations Trust Fund and $1,044,839 from the Medical Care Trust Fund are provided 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 191, $700,000 from the General Revenue Fund, $43,337,646 from the Grants and Donations Trust Fund and $92,049,025 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	55,695,470
Shands Hospital Jacksonville	31,974,629
All Children's Hospital	6,335,483
Shands Teaching Hospital	4,680,810
Tampa General Hospital	12,677,037
Orlando Regional Medical Center	4,059,162
Lee Memorial Hospital/CMS	865,467
St. Mary's Hospital	191,070
Miami Children's Hospital	5,674,550
Broward General Medical Center	2,528,454
Tallahassee Memorial Healthcare	39,993
St. Joseph's Hospital	15,469
Florida Hospital	40,486
Baptist Hospital of Pensacola	314,117
Mt. Sinai Medical Center	6,669,200
Bayfront Medical Center	142,076
Sacred Heart Hospital	319,919
Naples Community Hospital	183,784
Baptist Medical Center - Jacksonville	250,000
Bay Medical	958,726
Cape Coral Hospital	376,479
Gulf Coast Hospital - Ft Myers	271,000
Health Central	188,085
Imperial Point Hospital	58,864
Memorial Hospital - Sarasota	837,325
North Broward Medical Center	267,561
Parrish Medical Center	365,511

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SW Florida Regional Medical Center	105,944

From the funds in Specific Appropriation 191, $3,422,008 from the Grants and Donations Trust Fund and $7,152,799 from the Medical Care Trust Fund are provided to make Low Income Pool payments to hospitals meeting the criteria set forth below. Hospitals with Medicaid days divided by total days exceeding 35 percent shall receive $4,574,807. These funds shall be distributed equally among the qualifying hospitals, but the amount received when added to the net Low Income Pool, exemption, disproportionate share and funded buy back payments for state Fiscal Year 2009-2010 shall not exceed $20,000,000. Any payments limited by the $20,000,000 cap will be redistributed to the remaining qualified hospitals. The following two categories of hospitals shall participate in the allocation of the remaining $6,000,000. The first category of hospitals are those with Medicaid days divided by total days between 15 and 25 percent and whose charity care days divided by total days equals or exceeds 5 percent and who received less than $10,000,000 dollars in net Medicaid Low Income Pool, exemption, disproportionate share and funded buyback payments in state Fiscal Year 2009-2010. The second category of hospitals are those hospitals that qualify as a 340B hospital under federal guidelines and whose Medicaid days divided by total days are greater than or exceed 10 percent and charity care days divided by total days equals or exceeds seven and one-half percent and who received less than $10,000,000 dollars in net Medicaid Low Income Pool, exemption, disproportionate share and funded buy back payments in state Fiscal Year 2009-2010. Payments will be based on each hospital's proportional share of Medicaid and charity care days to the total Medicaid and charity days for the qualifying hospitals. Medicaid, charity care and total days shall be from the 2008 Florida Hospital Uniform Reporting System (FHURS). The net state fiscal year Low Income Pool payments shall not include any payments made due to the approval of the amendment to the Florida 1115 Medicaid reform waiver. Specialty, rural, statutory teaching and state owned and/or operated hospitals do not qualify for payments under this section of proviso. For state Fiscal Year 2010-2011, the following hospitals meet the qualifications described above, and are funded in the following manner. No additional hospitals shall be funded for state Fiscal Year 2010-11 under this section of proviso.

Bethesda Memorial Hospital	945,320
Brandon Regional Medical Center	726,938
Brooksville Regional Hospital	486,896
Columbia Hospital	374,133
Florida Hospital Deland	324,581
Health Central	391,290
Homestead Hospital	755,124
Lower Keys Hospital	184,008
Manatee Memorial Hospital	747,172
Memorial Hospital Miramar	244,899
Plantation General Hospital	3,285,125
St. Mary's Hospital	1,289,682
Wellington Regional Medical Center	312,834
Winter Haven Hospital	506,805

From the funds in Specific Appropriation 191, $1,177,298 from the General Revenue Fund, $4,736,898 from the Grants and Donations Trust Fund and $12,362,060 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 to provide funding for Federally Qualified Health Centers supporting primary care services in medically underserved areas.

From the funds in Specific Appropriation 191, $3,090,684 from the Grants and Donations Trust Fund and $6,460,255 from the Medical Care Trust Fund are provided for county health initiatives emphasizing the expansion of primary care services, and rural health networks. The Department of Health will develop the funding criteria processes, which include assessing statewide benefits, sustainability, access to primary care improvements, ER diversion potential, and health care innovations that are replicable and with a three-year limit on low-income pool funding. 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.

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From the funds in Specific Appropriation 191, $970,800 from the Grants and Donations Trust Fund and $2,029,200 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals. These payments shall be used, in collaboration with the Department of Health to provide funding for hospitals with hospital based primary care initiatives.

From the funds in Specific Appropriation 191, $80,900 from the Grants and Donations Trust Fund and $169,100 from the Medical Care Trust Fund are provided to make health insurance premium payments for low-income residents enrolled in the Miami-Dade Premium Assistance Program. These funds are contingent on a local government contribution of $80,900.

From the funds in Specific Appropriation 191, $5,134,566, from the Grants and Donations Trust Fund and $10,732,448 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments for premium assistance programs operated by the Palm Beach County Health Care District. These funds are contingent on a local government contribution from the Health Care District of Palm Beach County in the amount of $13,367,014.

From the funds in Specific Appropriation 191, $1,026,720 from the General Revenue Fund and $2,146,085 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals. These payments shall be used, in collaboration with the Department of Health to provide funding for hospitals providing poison control programs.
From the funds in Specific Appropriation 191, $388,320 from the General Revenue Fund and $811,680 from the Medical Care Trust Fund are provided to continue the primary care and emergency room diversion program in Manatee, Sarasota and DeSoto counties.

From the funds in Specific Appropriation 191, $323,600 from the General Revenue Fund, $676,400 from the Medical Care Trust Fund are provided for the support of existing and expansion of new primary care residency slots, not funded by Medicare, at existing primary care residency programs in the rural area of AHCA District 1 sub-district 2 as defined in the Florida Administrative Code section 59C-2.100 Acute Care Sub Districts.

From the funds in Specific Appropriation 191, $4,676,400 from the General Revenue Fund, $11,180,673 from the Grants and Donations Trust Fund and $33,145,007 from the Medical Care Trust Fund are provided to increase access to primary care services in the state to reduce and prevent unnecessary emergency room visits and inpatient hospitalizations. In developing a plan to increase access to primary care services and the funding of these primary care services, the agency shall solicit proposals from general acute care hospitals, county health departments, faith based and community clinics, and Federally Qualified Health Centers in order to establish new primary clinics for the uninsured and underinsured. Of the funds provided, the agency shall use $38,947,353, which includes $4,676,400 in general revenue and $7,926,963 in local funding to pay for the increased access to primary care services. The use of general revenue is contingent upon an equal amount of local funds being provided. The agency shall award grants to those programs most capable of reducing health spending and improving the health status of uninsured and under insured persons in their community and meeting the requirements of this section. The programs receiving these grants shall reduce unnecessary emergency room visits and preventable hospitalizations by providing disease management; improving patient compliance; and coordinating services. The agency shall contract with an entity having experience in evaluating the Medicaid program to develop reporting requirements for grant recipients and to measure the effectiveness of the grant-funded programs. The specific reporting requirements shall be incorporated into the competitive solicitation which will also identify the evaluation methodology and establish a time-table for publishing results. The agency shall develop a plan for expanding primary care services by October 1, 2010, and submit the plan to the Legislative Budget Commission for approval before expending any funding. The agency shall use $10,054,727 of these funds for hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 shall be paid $10,054,727 distributed in the same proportion as the Primary Care DSH payments for Fiscal Year 2003-2004, excluding Imperial Point Hospital, Memorial Regional

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Hospital, and Memorial Hospital Pembroke, who will receive individual amounts equal to $536,489, $1,620,659, and $536,489 respectively. These funds are contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts.

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, 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.

Funds provided in Specific Appropriation 191 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 191 is contingent upon approval from the Centers for Medicare and Medicaid.

From the funds in Specific Appropriation 191, $25,000,000 from nonrecurring general revenue funds and $25,000,000 from the Medical Care Trust Fund provided to Jackson Memorial Hospital are contingent upon approval, by the Legislative Budget Commission, of the release of funds based upon submission of a joint resolution between the Board of the Jackson Memorial Public Health Trust and the Miami-Dade County Commission to establish and carry out a management review process for county oversight of the hospital's financial condition; evidence of a financial commitment by the county; documentation of other community support; and documentation of a comprehensive plan for containing costs and reducing expenditures including, but not limited to, the use of electronic negotiation and reverse auction technology to secure best prices for durable medical equipment, supplies, drugs, and other acquisitions.

SPECIAL CATEGORIES HOSPITAL OUTPATIENT SERVICES (Specific Appropriation 194)

From the funds in Specific Appropriation 194, $16,535,960 from the Grants and Donations Trust Fund and $34,564,042 from the Medical Care Trust Fund are appropriated so that the agency may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a 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 qualifying hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

Funds in Specific Appropriation 194, reflect a reduction of $20,969,114 from the General Revenue Fund, $33,822,275 from the Medical Care Trust Fund, and $103,655 from the Refugee Assistance Trust Fund as a result of implementing a reduction in outpatient hospital reimbursement rates. The

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agency shall implement a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget. Hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent and rural hospitals as defined in s. 395.602, Florida Statutes are excluded from this reduction.

From the funds in Specific Appropriation 194, $20,858,133 from the Grants and Donations Trust Fund and $43,598,396 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. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in Section 13, chapter 2007-326, Laws of Florida.

From the funds in Specific Appropriation 194, $3,936,680 from the Grants and Donations Trust Fund and $8,228,586 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 or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the outpatient ceilings under this provision of proviso or any other proviso listed, such hospitals 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 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available. Any hospital that was exempt from the outpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meet the 11 percent threshold, because of updated audited DSH data shall remain exempt from the outpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriation 194, $69,508 from the Grants and Donations Trust Fund and $145,287 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 194, $3,878,079 from the Grants and Donations Trust Fund and $8,106,096 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, 2010 or become a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 13, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

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Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 194 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.

From the funds in Specific Appropriation 194, $802,193 from non recurring General Revenue, $10,757,143 from the Grants and Donations Trust Fund and $24,161,727 from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for the following four categories of hospitals. Of these funds $6,966,724 is provided to the first category of hospitals, which are those hospitals that are part of a system that operate a provider service network in the following manner: $570,975 is for Jackson Memorial Hospital; $749,964 is for hospitals in Broward Health as follows Broward General $145,860, Coral Springs $412,974, Imperial Point $92,319, and North Broward $98,811; $1,665,035 is for hospitals in the Memorial Healthcare System as follows Memorial Hospital $235,557, Memorial Hospital Pembroke $286,093, Memorial Hospital Miramar $383,272, and Memorial Hospital West $760,113; and $256,166 to Shands Jacksonville and $3,724,584 to Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate. Of the above funds, $4,221,468 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate. Of the above funds, $4,632,729 shall be used for the third category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for rural hospitals. Of the above funds, $19,900,141 shall be used for the fourth category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates to teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and for designated trauma hospitals on or before February 1, 2010. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the outpatient rate for those individual hospitals. For this section of proviso the agency shall use the average of 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. 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 2003, 2004 and 2005 that are available.

From the funds in Specific Appropriation 194, $13,857,675 from the Grants and Donations Trust Fund and $28,965,796 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in sections 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and designated trauma hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 194, $26,199,460 from the Grants and Donations Trust Fund and $54,763,025 from the Medical Care Trust Fund are provided for hospitals, not previously included in the

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proviso above, to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buyback of reductions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals.

From the funds in Specific Appropriation 194, $4,854,000 from the Grants and Donations Trust Fund and $10,146,000 from the Medical Care Trust Fund are provided for hospitals not previously included in the proviso above to allow for exemptions from outpatient reimbursement limitations for any hospital that has local funds available for IGTs. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. The agency shall not include the funds described in this paragraph for the buyback of exemptions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

(b) $25,000,000 of nonrecurring funds from the General Revenue Fund is appropriated to the Agency for Health Care Administration to provide funds in addition to those appropriated in Specific Appropriation 191 of this Act for the Low Income Pool;

(c) $4,197,807 of nonrecurring funds from the General Revenue Fund is appropriated to the Agency for Health Care Administration to provide funds in addition to those appropriated in Specific Appropriation 194 for Hospital Inpatient Services;

(d) $802,193 of nonrecurring funds from the General Revenue Fund is appropriated to the Agency for Health Care Administration to provide funds in addition to those appropriated in Specific Appropriation 194 for Hospital Outpatient Services;

(e) $9,500,000 of nonrecurring funds from the General Revenue Fund is appropriated to the Department of Health for the Sylvester Cancer Center at the University of Miami; and

(f) $9,500,000 of nonrecurring funds from the General Revenue Fund is appropriated to the Department of Health for the Shands Cancer Hospital.

(g) $1,000,000 of nonrecurring funds from the General Revenue Fund is appropriated to the Department of Health for the Braman Family Breast Cancer Institute at Sylvester.

(h) $1,621,725 of nonrecurring funds from the General Revenue Fund and $3,389,786 of nonrecurring funds from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration to restore a portion of the reduction specified in proviso immediately following Specific Appropriation 188 of this Act as a result of adjusting nursing home rates.

(i) $18,436,917 of nonrecurring funds from the General Revenue Fund and $38,537,486 of nonrecurring funds from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration to restore a portion of the reduction specified in proviso immediately following Specific Appropriation 219 of this Act as a result of adjusting nursing home rates.

SECTION 85. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0645 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Persons with Disabilities for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

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SECTION 86. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0657 as submitted on April 26, 2010, by the Governor on behalf of the Agency for Persons with Disabilities for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 87. The sum of $16,505,048 from unexpended funds appropriated from the Social Services Block Grant Trust Fund in Specific Appropriation 278B of chapter 2009-81, Laws of Florida, and transferred and released by the Legislative Budget Commission in approved Budget Amendment EOG #B0111 shall revert immediately and is appropriated for the purposes authorized in the budget amendment.

SECTION 88. (1) The appropriations and reductions in appropriations contained in this section are from the named funds for the 2009-2010 fiscal year to the state agency indicated. These appropriations and reductions in appropriations shall be reflected as adjustments to the approved operating budgets, as previously adjusted for lawful budget amendments, of the state agencies. These amounts represent adjustments to the Children and Families Data Center and the Northwood Shared Resource Center data processing categories to reflect estimated billings by the center to its user agencies, including the federal share of depreciation expense. These adjustments are in accordance with Sections 11 and 15, 2 CFR, Part 225, Attachment B, Code of Federal Regulations. This section shall take effect upon becoming a law.

(2) Data Processing Services Children and Families Data Center

Department of State	
From General Revenue Fund	-160,000
From Grants and Donations Trust Fund	-40,000
Department of Children and Family Services	
From General Revenue Fund	-3,310,974
From Federal Grants Trust Fund	170,069
From Working Capital Trust Fund	-571,060
Department of Health	
From Administrative Trust Fund	-570,560
Agency for Persons with Disabilities	
From the General Revenue Fund	-224,686
Department of Revenue	
From General Revenue Fund	261,408
From Federal Grants Trust Fund	1,218,825

(3) Data Processing Services Northwood Shared Resource Center

Department of State	
From General Revenue Fund	397,304
From Grants and Donations Trust Fund	40,000
Department of Education	
From General Revenue Fund	28,443
Department of Children and Family Services	
From General Revenue Fund	3,635,667
From Federal Grants Trust Fund	3,362,075
From Working Capital Trust Fund	571,060
Department of Health	
From Administrative Trust Fund	-410,035
Agency for Persons with Disabilities	
From General Revenue Fund	956,459
Department of Revenue	
From General Revenue Fund	-1,583,621
From Federal Grants Trust Fund	-3,770,374

(4) NSRC Depreciation

Department of Children and Family Services	
From Federal Grants Trust Fund	363,236
From Working Capital Trust Fund	569,034
Department of Health	
From Administrative Trust Fund	17,011
Department of Revenue	
From Federal Grants Trust Fund	188,787

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SECTION 89. The Northwood Shared Resource Center is authorized to execute a nonoperating transfer of up to $2,084,858 from the Working Capital Trust Fund in Fiscal Year 2009-2010 to reimburse the Department of Children and Family Services Office of Information Technology for administrative support provided by this office. The center shall bill its user agencies pursuant to Sections 11 and 15, 2 CFR, Part 225, Attachment B, Code of Federal Regulations. This section shall take effect upon becoming law

SECTION 90. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0625 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 91. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0626 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 92. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0654 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 93. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0656 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 94. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0664 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 95. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B0665 as submitted on April 26, 2010, by the Governor on behalf of the Department of Children and Family Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 96. The unexpended balance of funds appropriated to the Department of Elder Affairs in Specific Appropriation 382 of chapter 2009-81, Laws of Florida, and subsequently transferred to the Grants and Aids - Older American's Act - American Recovery and Reinvestment Act of 2009 appropriation category shall revert immediately and is reappropriated for the Fiscal Year 2010-2011 for the same purpose.

SECTION 97. The unexpended balance of funds provided to the Department of Children and Families in Specific Appropriation 278B of chapter 2009-81, Laws of Florida, and subsequently distributed by approved Budget Amendment EOG #B0119 to the Department of Elder Affairs for projects meeting the criteria for hurricane relief in 2008 Social Services Disaster Relief Grant shall revert immediately and is reappropriated for the Fiscal Year 2010-2011 for the same purpose.

SECTION 98. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG

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#B0537 as submitted on April 26, 2010, by the Governor on behalf of the Department of Veterans' Affairs for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 99. The sum of $1,280,171 in nonrecurring funds is appropriated from the Division of Licensing Trust Fund for Fiscal Year 2009-2010 to the Department of Agriculture and Consumer Services pursuant to EOG# B2009-0697. The Division of Licensing shall use the funds to transfer fees collected for fingerprint criminal history background checks on applicants seeking a Florida concealed weapon permit to the Department of Law Enforcement. This section shall take effect upon becoming law.

SECTION 100. The unencumbered balance of funds appropriated in Specific Appropriation 1453 of chapter 2007-72, Laws of Florida, provided to the Department of Agriculture and Consumer Services for roof repair at the Florida Citrus building, shall revert immediately and is appropriated for Fiscal Year 2010-2011 to the Department of Agriculture and Consumer Services for the replacement of a chiller system at the Florida Citrus building.

SECTION 101. The sum of $607,693 from unexpended funds appropriated in Specific Appropriation 1696 of chapter 2005-70, Laws of Florida, from the Ecosystem Management and Restoration Trust Fund, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately. The sum of $2,780,411 from unexpended funds appropriated in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, from the General Revenue Fund, provided to the Department of Environmental Protection for statewide beach projects, shall revert immediately and is appropriated as a transfer to the Ecosystem Management and Restoration Trust Fund in the Department of Environmental Protection. The sum of $1,118,250 from unexpended funds appropriated in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, from the Ecosystem Management and Restoration Trust Fund, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately. The sum of $705,456 from unexpended funds appropriated in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, from the Ecosystem Management and Restoration Trust Fund, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 102. The unexpended balance of funds appropriated in Specific Appropriation 1821 of chapter 2006-25, Laws of Florida, relating to the Sebastian River Muck Removal Cost Overrun shall revert immediately and is appropriated for the 2010-2011 fiscal year for the elimination of muck deposits into the Sebastian River.

SECTION 103. The unexpended balance of fixed capital outlay funds appropriated in Specific Appropriation 1772C of chapter 2008-152, Laws of Florida, for the Lake Placid Water Treatment Plant and Distribution Lines shall immediately revert and be reappropriated for the Town of Lake Placid to fund the purchase and rehabilitation of that part of the Highlands Utility Wastewater Collection and Treatment System in and around the Town of Lake Placid. If the Town cannot purchase the Highlands Utility Wastewater system, or if the purchase and rehabilitation of the system does not require all of the reappropriated funds, any remaining funds shall continue to be available to fund the Lake Placid Water Treatment Plant and Distribution Lines.

SECTION 104. The unexpended balance of funds provided in Specific Appropriation 1783A of chapter 2009-81, Laws of Florida, to the Department of Environmental Protection for the Underground Storage Tank Cleanup Program shall revert upon this act becoming a law.

SECTION 105. From the unexpended balance of Specific Appropriation 1772C of chapter 2008-152, Laws of Florida, provided to Winter Park Lake Berry Stormwater Treatment Project, $150,000 from the Ecosystem Management and Restoration Trust Fund shall revert immediately and is appropriated for Fiscal Year 2010-11 to the Winter Park Melrose Avenue Stormwater Retention Project.

SECTION 106. The unexpended funds appropriated in Specific

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Appropriation 1821 of chapter 2006-25, Laws of Florida, provided for the Mount Dora-Lake John Stormwater Improvements shall revert immediately and is appropriated for the Mount Dora Fourth Avenue Stormwater Project.

SECTION 107. There is appropriated $40 million in nonrecurring funds from the General Revenue Fund for the 2010-2011 fiscal year for the design, engineering, and construction of the Comprehensive Everglades Restoration Plan, Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan Components, and for the acquisition of lands for projects included in the plan. The funding is contingent upon Florida being eligible to receive federal funds, based on the state's Federal Medicaid Assistance Percentage (FMAP), in excess of the February 2010 official Social Services Estimating Conference. Of these funds, $2 million is provided to the Department of Agriculture and Consumer Services in the General Inspection Trust Fund for implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

SECTION 108. The unexpended balance from Specific Appropriation 1772C of chapter 2008-152, Laws of Florida, provided to Palm Beach County Central Everglades Water Quality Improvement in the amount of $250,000 from the Ecosystem Management and Restoration Trust Fund, shall revert immediately and is appropriated for Fiscal Year 2010-11 to PC South/Indian River County.

SECTION 109. The unexpended balance of funds appropriated in Section 48, chapter 2009-81, Laws of Florida, provided to the Department of Financial Services, is hereby reverted and reappropriated for Fiscal Year 2010-2011 for strengthening Domestic Security support by the State Fire Marshal.

SECTION 110. The unexpended balance of funds provided in Specific Appropriation 2096A of chapter 2009-81, Laws of Florida, and distributed to the Department of Financial Services in budget amendment EOG #B2010-0014, is hereby reverted and reappropriated for Fiscal Year 2010-2011 for the original purpose.

SECTION 111. There is hereby appropriated $2,500,000 in nonrecurring funds from the General Revenue Fund to the State Risk Management Trust Fund in the Department of Financial Services for Fiscal Year 2009-2010. The Division of Risk Management shall use the funds for the purchase of excess insurance related to state buildings and facilities. This section is effective upon becoming law.

SECTION 112. There is hereby appropriated $15,000,000 in nonrecurring funds from the General Revenue Fund to the State Risk Management Trust Fund in the Department of Financial Services and $2,100,000 in nonrecurring funds from trust funds to state agencies for additional premiums billed by the Division of Risk Management for Fiscal Year 2009-2010. The Division of Risk Management shall use the funds to support program operations and to process insurance claims. This section is effective upon becoming law.

SECTION 113. The nonrecurring sum of $2,491,512 in the Workers' Compensation Administration Trust Fund shall be transferred via non-operating transfer by the Department of Financial Services to the Department of Management Services' Florida Facilities Pool Clearing Trust Fund for the purpose of making debt service payments appropriated in Specific Appropriation 2838 for the First District Court of Appeal building under construction at the Capital Circle Office Complex in Leon County.

SECTION 114. The sum of $250,000 from the Insurance Regulatory Trust Fund in the Department of Financial Services collected pursuant to section 164 of chapter 2004-390, Laws of Florida, is hereby appropriated and transferred to the Florida Catastrophic Storm Risk Management Center at Florida State University for the analysis originally provided in the chapter law.

SECTION 115. The unexpended balance of funds appropriated in Specific Appropriation 2849A, of chapter 2009-81, Laws of Florida, to the Department of Management Services is reverted and is appropriated for the 2010-2011 fiscal year to the department to support federal grants related to domestic security.

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SECTION 116. The unexpended balance of funds appropriated in Specific Appropriation 2096A, of chapter 2009-81, Laws of Florida, and distributed to the Department of Management Services in budget amendment EOG #B2010-0014 for the Florida Interoperability Network is reverted and is appropriated for the 2010-2011 fiscal year for the purpose of the original appropriations within the department.

SECTION 117. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2010-0627 as submitted on April 26, 2010, by the Governor on behalf of the Department of Management Services for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section is effective upon becoming law.

SECTION 118. The unexpended balance of $2,615,289 provided to the Department of Revenue for the collections analytics work flow system in Specific Appropriation 3023 of chapter 2009-81, Laws of Florida, shall revert upon this act becoming a law, and is appropriated for the 2010-2011 fiscal year for the original purpose.

SECTION 119. The reimbursement to the Child Support Enforcement Program in the Department of Revenue from the U.S. Department of Health and Human Services, as a result of the cost allocation approved for the period of July 1, 2008 through June 30, 2011 in the amount of $7,717,419 is transferred from the department's Federal Grant Trust Fund to the Operating Trust Fund. This section shall take effect upon becoming law.

SECTION 120. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2010-0575 as submitted on April 26, 2010, by the Governor on behalf of the Department of Revenue for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2009-2010 consistent with the amendment. This section is effective upon becoming law.

SECTION 121. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2010-0688 as submitted on April 26, 2010, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for FY 2009-10 consistent with the amendment. This section shall become effective upon becoming law.

SECTION 122. The unexpended balance of funds appropriated in section 15 of chapter 2009-81, Laws of Florida, or authorized by the Legislative Budget Commission pursuant to budget amendment EOG #B2010-0481 for domestic security issues and an ARRA energy sub-grant, is reverted and appropriated for the same purposes.

SECTION 123. (a) The sum of $430,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Sexual Predator Civil Commitment Litigation costs.

(b) The sum of $2,350,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Public Defender Due Process costs.

(c) The sum of $1,300,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Child Dependency and Civil Conflict Case costs.

(d) The sum of $2,600,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Criminal Conflict Case costs.

(e) The sum of $1,200,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying State Attorney Due Process costs.

(f) The sum of $1,500,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Criminal Conflict and Dependency Counsel Liability

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costs.

(g) The sum of $620,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Justice Administrative Commission for the purpose of paying Regional Conflict Counsel Due Process costs.

(h) This section shall take effect upon becoming a law.

SECTION 124. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 2096A of Chapter 2009-81, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG#B2010-0014, is hereby reverted and reappropriated for Fiscal Year 2010-11 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 125. The unexpended balance of funds provided to the Department of Law Enforcement for grants funded from the American Recovery and Reinvestment Act of 2009 in Specific Appropriation 1131 of Chapter 2009-81, Laws of Florida, and subsequently transferred to Grants and Aids - Byrne/JAG ARRA 2009 (appropriation category 109919), is hereby reverted and reappropriated for Fiscal Year 2010-11 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 126. The unexpended balance of funds provided to the Department of Law Enforcement for grants funded from the American Recovery and Reinvestment Act of 2009 in Specific Appropriation 1140 of Chapter 2009-81, Laws of Florida, and subsequently transferred to Byrne/JAG State ARRA 2009 (appropriation category 109920), is hereby reverted and reappropriated for Fiscal Year 2010-11 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 127. The unexpended balance of $1,000,000 provided to the Department of Law Enforcement for grants funded from the American Recovery and Reinvestment Act of 2009 in Specific Appropriations 1196, 1197 and 1199 of Chapter 2009-81, Laws of Florida, and subsequently transferred to State Operations ARRA 2009 (appropriation category 109910), is hereby reverted and reappropriated for Fiscal Year 2010-11 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 128. The unexpended balance from funds appropriated in Specific Appropriation 3320 of chapter 2007-72, Laws of Florida, for the Supreme Court Restroom Renovations, from funds appropriated in Specific Appropriation 3259A of chapter 2006-25, Laws of Florida, for the 3rd District Court of Appeal Architect Services, and from Section 15 of chapter 2007-326, Laws of Florida, for the 3rd District Court of Appeal Roof Repairs is reverted June 30, 2010 and $59,295 is appropriated for the 2010-11 fiscal year to the 3rd District Court of Appeal for Life Safety Remediation, $77,000 is appropriated to the 3rd District Court of Appeal for Ceiling Repair, $91,100 is appropriated to the 2nd District Court of Appeal for Court Security Enhancement, and $82,293 is appropriated to the 4th District Court of Appeal for AC System Remediation.

SECTION 129. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, $506,869,007 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2010-11:

DEPARTMENT OF EDUCATION	
Operating Trust Fund	500,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Water Management Lands Trust Fund	12,459,007
Ecosystem Management and Restoration Trust Fund	500,000
Inland Protection Trust Fund	23,200,000
FISH AND WILDLIFE CONSERVATION COMMISSION	
Invasive Plant Control Trust Fund	8,000,000
State Game Trust Fund	2,000,000
PUBLIC SERVICE COMMISSION	
Regulatory Trust Fund	2,500,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Division of Florida Condominiums, Timeshares and Mobile Homes Trust Fund	3,700,000

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Hotels and Restaurants Trust Fund	5,000,000
Professional Regulation Trust Fund	2,000,000
DEPARTMENT OF FINANCIAL SERVICES	
Administrative Trust Fund	4,000,000
Anti-Fraud Trust Fund	26,600,000
Regulatory Trust Fund	5,000,000
AGENCY FOR HEALTH CARE ADMINISTRATION	
Health Care Trust Fund	14,500,000
Medical Care Trust Fund	9,500,000
Quality Long-Term Care Trust Fund	3,000,000
AGENCY FOR PERSONS WITH DISABILITIES	
Social Services Block Grant Trust Fund	4,000,000
Operations and Maintenance Trust Fund	1,000,000
DEPARTMENT OF HEALTH	
Florida Drug, Device and Cosmetic Trust Fund	3,000,000
Federal Grants Trust Fund	6,000,000
Grants and Donations Trust Fund	1,900,000
Medical Quality Assurance Trust Fund	10,000,000
Planning and Evaluation Trust Fund	1,500,000
Radiation Protection Trust Fund	1,000,000
STATE COURTS	
Mediation and Arbitration Trust Fund	4,000,000
Court Education Trust Fund	1,500,000
JUSTICE ADMINISTRATION COMMISSION	
State Attorney Grants and Donations Trust Fund	1,200,000
DEPARTMENT OF LEGAL AFFAIRS	
Legal Affairs Revolving Trust Fund	1,000,000
DEPARTMENT OF COMMUNITY AFFAIRS	
Local Government Housing Trust Fund	148,388,802
State Housing Trust Fund	25,921,198
Grants and Donations Trust	12,000,000
Emergency Management, Preparedness and Assistance Trust Fund	2,000,000
DEPARTMENT OF TRANSPORTATION	
State Transportation Trust Fund	160,000,000

The transfer of funds from the State Transportation Trust fund to the General Revenue Fund for Fiscal Year 2010-2011 shall occur in September and December of 2010, and in January and April of 2011.

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except for the Local Government Housing Trust Fund, which shall be transferred by June 30, 2011.

SECTION 130. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2288A of Chapter 2007-72, Laws of Florida, for the Sustainment of Monitoring Center and Security Tools, and Information Security Planning Sessions, and subsequently transferred to the Agency for Enterprise Information Technology in the 2007-2008 fiscal year by budget amendment EOG #B2008-0014; and reverted and appropriated to the Agency for Enterprise Information Technology in the 2009-2010 fiscal year pursuant to Section 82 of Chapter 2009-081, Laws of Florida, is hereby reverted and is appropriated for the 2010-2011 fiscal year to the Agency for Enterprise Information Technology for the same purpose.

SECTION 131. The unexpended balance of funds provided to the Agency for Enterprise Information Technology in Specific Appropriation 2174A of Chapter 2008-152, Laws of Florida, for the Information Security Planning Session-sustainment, and the Sustainment Costs for Monitoring Center and Security Tools, and subsequently allocated by budget amendment EOG #B2009-0014 in the 2008-2009 fiscal year; and reverted and appropriated to the Agency for Enterprise Information Technology in the 2009-2010 fiscal year pursuant to Section 83 of Chapter 2009-081, Laws of Florida, is hereby reverted and is appropriated for the 2010-2011 fiscal year to the Agency for Enterprise Information Technology for the same purpose.

SECTION 132. The unexpended balance of funds provided to the Agency for Enterprise Information Technology in Specific Appropriation 2096A of Chapter 2009-81, Laws of Florida, for the Sustainment Costs for Monitoring Center and Security Tools, and Information Technology Security Incident Response Program, and subsequently allocated by budget amendment EOG #B2010-0014, is hereby reverted and is appropriated for

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the 2010-2011 fiscal year to the Agency for Enterprise Information Technology for the same purpose.

SECTION 133. There is hereby recurring appropriated $160,034 for Fiscal Year 2009-10 in nonrecurring funds from the Working Capital Trust Fund in the Southwood Resource Center to spend grant funds awarded pursuant to Specific Appropriation 2558 of Chapter 2009-81, Laws of Florida, from American Recovery and Reinvestment Act of 2009 funds, to enhance data center efficiency. This shall take effect upon becoming law.

SECTION 134. There is hereby appropriated $214,740, for Fiscal Year 2009-2010 in nonrecurring funds from the Working Capital Trust Fund in the Northwood Shared Resource Center to spend grant funds awarded pursuant to Specific Appropriation 2558 of Chapter 2009-81, Laws of Florida, from American Recovery and Reinvestment Act of 2009, to enhance data center efficiency. This shall take effect on becoming law.

SECTION 135. From the unexpended balance of funds appropriated to the Department of Environmental Protection in the Grants and Donations Trust Fund in Section 75 of Chapter 2006-230, Laws of Florida, and subsequently transferred to the Florida Energy and Climate Commission by budget amendment EOG #B2009-030, $2,000,000 shall immediately revert and is appropriated to the Florida Energy and Climate Commission for a grant project involving high mileage, ultra efficient cars designed and built in Florida.

SECTION 136. The unexpended balance of funds appropriated to the Department of Environmental Protection in the General Revenue Fund in

Section 75 of Chapter 2006-230, Laws of Florida, and subsequently transferred to the Florida Energy and Climate Commission by budget amendment EOG #B2009-0030, shall revert on June 30, 2010 and is appropriated to the Office of Tourism, Trade and Economic Development and shall be granted to Enterprise Florida Inc., for the Florida Development Finance Corporation's Energy, Technology, and Economic Development Guaranty Fund for use as the mandatory state match to access the federal 1705 Loan Guarantee Program.

SECTION 137. The unexpended balance of funds appropriated to the Department of Environmental Protection in the General Revenue Fund in

Section 49 of Chapter 2007-72, Laws of Florida, and subsequently transferred to the Florida Energy and Climate Commission by budget amendment EOG #B2009-0030, shall revert on June 30, 2010 and is appropriated to the Office of Tourism, Trade and Economic Development and shall be granted to Enterprise Florida Inc., for the Florida Development Finance Corporation's Energy, Technology, and Economic Development Guaranty Fund for use as the mandatory state match to access the federal 1705 Loan Guarantee Program.

SECTION 138. The unexpended balance of funds appropriated to the Florida Energy and Climate Commission in the Executive Office of the Governor in the General Revenue Fund in Section 31 and Section 32 of Chapter 2008-152, Laws of Florida, shall revert on June 30, 2010 and is appropriated to the Office of Tourism, Trade and Economic Development and shall be granted to Enterprise Florida, Inc., for the Florida Development Finance Corporation's Energy, Technology, and Economic Development Guaranty Fund for use as the mandatory state match to access the federal 1705 Loan Guarantee Program.

SECTION 139. 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 140. Except as otherwise provided herein, this act shall take effect July 1, 2010, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2010, then it shall operate retroactively to July 1, 2010.

TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND 23,789,737,896

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FROM TRUST FUNDS 46,587,685,991

TOTAL POSITIONS 126,728.50

TOTAL ALL FUNDS 70,377,423,887

TOTAL APPROVED SALARY RATE 5,141,045,435

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5001** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Ring
Baker	Gardiner	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Lawson	Villalobos
Detert	Lynn	Wilson
Diaz de la Portilla	Negron	Wise

Nays—4

Aronberg	Dockery	Gelber
Rich		

PAIR VOTES

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Richter on **HB 5001**. If he were present he would vote "yea" and I would vote "nay."

Senator Charlie Justice, 16th District

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001** which came before the full Senate for a vote on April 30, 2010.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SENATOR HARIDOPOLOS PRESIDING

The Honorable Jeff Atwater, 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.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
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 relating to Implementing 2010-2011 General Appropriations Act. Establishes temporary state extended benefits for weeks of unemployment. Provides for state extended benefits for certain weeks and for periods of high unemployment. Provides for a suspension of lowering the amount of exempt wages under certain circumstances. Provides for an assessment on employers to pay the forecasted interest on advances received from the Federal Government to pay unemployment benefits, 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.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise
s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney
Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
s/ Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
Dave Murzin
H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
s/ Trudi K. Williams
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5003, relating to implementing appropriations, provides the following substantive modifications for the 2010-2011 fiscal year:

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 authorizes the transfer of Fixed Capital outlay appropriations for public schools between appropriation categories upon approval of the Executive Office of the Governor.

Section 4 authorizes the Department of Corrections and the Department of Juvenile Justice to make expenditures to defray costs incurred by a municipality or county for facilities operated under the authority of each department. The payment may not exceed one percent of the construction costs, less any building impact fees paid to the local government.

Section 5 allows the Executive Office of the Governor to request additional positions and other resources, including fixed capital outlay, for the Department of Corrections, if the Criminal Justice Estimating Conference projects a certain increase in the inmate population and the additional positions are approved by the Legislative Budget Commission.

Section 6 authorizes the Department of Legal Affairs to transfer cash remaining after required disbursements from specified Attorney General cases to the Operating Trust Fund to pay salaries and benefits.

Section 7 authorizes the Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

Section 8 allows a municipality to expend funds in a special law enforcement trust fund 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.

Section 9 requires the Office of the State Courts Administrator to report to the legislature by February 15, 2011, the number of assigned new and reopened cases and the number of cases closed by each judge and each division and circuit for the period of January - December 31, 2010.

Section 10 exempts counties from the statutory requirement to increase expenditures for county funding responsibilities for the state courts, state attorneys, and public defenders by 1.5 percent each year.

Section 11 provides limitation on Department of Juvenile Justice reimbursements for health care services to 110 percent of Medicare allowable rates.

Section 12 authorizes the Mediation and Arbitration Trust Fund to be used as specified in General Appropriations Act.

Section 13 authorizes the Department of Children and Families (DCF) to allocate funds appropriated for forensic mental health treatment services to the areas of the state with the greatest service demand

and capacity, and to allocate Community Based Medicaid Administrative Claiming Program funding in proportion to contributed provider earnings.

Section 14 allows the Department of Health to implement phase 2 of the Florida Onsite Sewage Nitrogen Reduction Strategies Study; provides direction to work with the Department of Environmental Protection; prohibits a state agency from adopting or implementing a rule or policy that mandates or establishes new nitrogen-reduction limits to existing or new onsite sewage treatment system, any rule or policy that has the effect of requiring the use of, for nitrogen reduction, performance-based treatment systems; any rule or policy that increases the cost of treatment for nitrogen reduction from onsite systems before the study and report required in proviso following Specific Appropriation 471 is completed.

Section 15 extends repeal of ch. 2007-174, L.O.F., to July 1, 2011.

Section 16 provides authority for the Department of Health to submit a budget amendment to request funds for the Florida Agricultural and Mechanical University (FAMU) Crestview Education Center Project upon submission of required documents.

Section 17 provides for a study of the factors affecting costs and potential assessments on consumers, and availability, of personal lines property and casualty insurance in Florida to be conducted by the Florida Catastrophic Storm Risk Management Center at Florida State University.

Sections 18 and **19** clarify the method for calculating impacts on ad valorem tax revenue for fiscally constrained counties resulting from revisions of Article VII of the State Constitution.

Sections 20 and **21** Remove the prohibition of funding reserve payments for debt service from bond proceeds.

Section 22 requires the Department of Management Services to submit an analysis of the disposition of all state-owned facilities and the effect of disposal.

Section 23 requires the Department of Management Services to issue by January 1, 2011, a solicitation for office supplies, and subsequently award a multiple-supplier contract with at least three awarded vendors.

Section 24 authorizes the Department of Citrus to deposit funds derived from the sale of property into the Citrus Advertising Trust Fund.

Section 25 authorizes the transfer of funds from the Land Acquisition Trust Fund to the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs and the Marine Spacial Planning programs to be used as provided in the General Appropriations Act.

Section 26 prioritizes the distribution of funds in the Water Management Lands Trust Fund within the Department of Environmental Protection for Fiscal Year 2010-2011 only.

Sections 27 and 28 reenact Ecosystem Management and Restoration Trust Fund to fund activities to preserve and repair the state's beaches.

Section 29 provides that for this fiscal year, moneys in the Ecosystems Management and Restoration Trust Fund are authorized for transfer to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services for the Farm Share, Food Banks, and Mosquito Control Programs, and the Technological Research and Development Authority.

Section 30 authorizes monies in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services.

Section 31 permits the Department of Environmental Protection to award grants equally to certain small counties for solid waste programs.

Section 32 allows the Department of Agriculture and Consumer Services to extend, revise or renew a contract related to promotion of agriculture.

Section 33 directs the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to $20,300,000 for the purpose of funding economic development transportation projects. This transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, 2010, in the Department of Transportation's 5-year work program.

Section 34 provides that funds appropriated from the Economic Development Transportation Trust Fund may be used to fund economic development infrastructure projects and for space and aerospace infrastructure needs.

Section 35 grants authority to the Governor to recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Government through the American Recovery and Reinvestment Act of 2009 or any other federal economic stimulus grant funding, subject to approval by the Legislative Budget Commission.

Section 36 grants authority to the Executive Office of the Governor to transfer funds appropriated for the American Recovery and Reinvestment Act of 2009 to specific appropriation categories established to track the expenditure of such funds.

Section 37 allow funds in the State Transportation Trust Fund to be used for administrative expenses of a multicounty transportation or expressway authority created under chapter 343 or chapter 348, Florida Statutes, where jurisdiction for the authority includes a portion of the State Highway System.

Section 38 authorizes funds from the State Transportation Trust Fund to be used to pay for county and school district transportation infrastructure improvements.

Section 39 permits funds to be transferred from the State Transportation Trust Fund to the General Revenue Fund as specified in the 2010-2011 General Appropriations Act.

Section 40 allows a participant in an adult or youth work experience activity administered by the Agency for Workforce Innovation to be provided workers' compensation insurance coverage through the state's risk management pool.

Sections 41 and **42** remove authorization for members of the Century Commission to receive per diem and travel expenses while in performance of duties.

Sections 43 and **44** amend s. 201.15, F.S., to remove distribution of certain taxes to the Century Commission.

Section 45 allows $3 million appropriation for hurricane loss mitigation to be used for hurricane shelters.

Sections 46 and **47** reenact s. 332.007, F.S., relating to administration and funding of aviation and airport programs and projects.

Section 48 creates the Florida Major Performing Arts Center Task Force to define and evaluate the economic impact of large performing arts centers.

Section 49 prohibits regional workforce boards from entering into certain contracts.

Section 50 provides the Department of Transportation with the flexibility necessary to balance the work program to reduced revenues from the transfer of trust funds to the General Revenue Fund.

Section 51 provides Legislative intent to minimize the impacts of reduced revenues and requires the Department of Transportation to provide certain documentation to the Legislative Budget Commission upon the request for budget/work program amendment approval. Requires certain funds to be returned to the department.

Section 52 requires the Tampa-Hillsborough County Expressway Authority to transfer funds to the department by a date certain and provides for the transfer of governance and control and the assets and liabilities of the Authority if funds are not transferred by date certain.

Section 53 allows the Executive Office of the Governor to transfer funds appropriated for the payment of risk management insurance

premiums between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 54 allows the Executive Office of the Governor to transfer funds appropriated for the payment of human resource management assessments between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 55 extends the authorization of payments into the state employee health savings accounts.

Section 56 provides that notwithstanding the provisions of paragraph 110.123(3)(f), F.S., requiring uniform contributions, and for the 2010-2011 fiscal year only, the state contribution toward the cost of any plan in the state group insurance plan shall be the difference between the overall premium and the employee contribution.

Section 57 extends the authorization to assign an employee from one agency to another agency if recommended by the Governor and approved by the chairs of the respective legislative appropriations committees.

Section 58 reduces the salaries of members of the Legislature by 7 percent – adjusting the members' June 30, 2010 salaries. This has the effect of keeping legislators salary the same as it is in the 2009-2010 fiscal year.

Section 59 reenacts s. 215.32, F.S., to authorize the Legislature to transfer in the General Appropriations Act unencumbered trust fund balances to the General Revenue Fund or the Budget Stabilization Fund.

Section 60 reenacts s. 215.5601, F.S., to clarify that certain withdrawals from the Lawton Chiles Endowment Fund are to be treated as reductions in contributed principal to the Fund.

Section 61 provides a legislative determination that the authorization and issuance of state debt is in the best interest of the state and is necessary to address a critical state emergency.

Section 62 limits the use of state funds for travel by state employees during the 2010-2011 fiscal year.

Section 63 provides that the Governor is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriation Act between agencies in order to align the budget authority granted with the utilization rate of each department.

Section 64 provides that an agency may transfer funds from the data processing appropriation categories to another appropriation category for the purpose of supporting and managing its computer resources until such time as the agency's data processing function is transferred to the Southwood Shared Resource Center, the Northwood Shared Resource Center, or the Northwest Regional Data Center.

Section 65 allows agencies that are required to begin planning for data center consolidation to accelerate their consolidation into Fiscal Year 2010-11 with Legislative Budget Commission approval.

Section 66 provides that the Governor is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

Section 67 prohibits the Department of Environmental Protection from denying any permit application related to rigid coastal armoring structures authorized and constructed between July 1, 2005, and April 30, 2006, as a result of Hurricane Dennis in Walton County. It also prohibits the department from taking enforcement action against property owners for failure to apply for a permit to allow such structures to remain permanently, and provides that property owners who have previously filed an application do not have to reapply.

Section 68 implements the Florida International University/Miami-Dade County Health Department/Florida Department of Health facility in Section 40 of the General Appropriations Act. This section allows the facility to be included in the Facilities Pool and provides that an appropriation for planning and first year debt service is not needed in advance of the project.

Section 69 provides that Specific Appropriations 17 through 26 shall constitute authorized fixed capital outlay projects as required by section 9(a) (2), Article XII of the State Constitution and makes clear that PECO projects are subject to budget amendment provisions in Ch. 216.

Section 70 promotes, through state contracting, the employment of state residents, to encourage economic development, and maximize use of products made in Florida.

Section 71 implements Section 8 language relating to pharmacy Copayments by amending s. 110.12315, F.S., to modify copayments consistent with decisions that have been made in the General Appropriations Act.

Section 72 specifies that no section will take effect if the appropriations and proviso to which it relates are vetoed.

Section 73 provides that a permanent change made by another law to any of the same statutes amended by this bill takes precedence over the provision in this bill.

Section 74 severability clause.

Section 75 provides an effective date.

Conference Committee Amendment (132719)(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 the 2010-2011 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, 8, 78, and 79 of the 2010-2011 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2010-2011 fiscal year in the document entitled "Public School Funding-The Florida Education Finance Program," dated April 27, 2010, 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 Specific Appropriations 17 and 18 of the 2010-2011 General Appropriations Act, paragraph (c) is added to subsection (3) of section 216.292, Florida Statutes, to read:

216.292 Appropriations nontransferable; exceptions.—

(3) The following transfers are authorized with the approval of the Executive Office of the Governor for the executive branch or the Chief Justice for the judicial branch, subject to the notice and objection provisions of s. 216.177:

(c) The transfer of appropriations for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category. The allocation of transferred funds shall be in accordance with s. 1013.64(1). This paragraph expires July 1, 2011.

Section 4. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 639, 651, 663, and 1188 of the 2010-2011 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 that are associated with opening or operating a facility under the authority of the department. The amount paid for any facility may not exceed 1 percent of the cost to construct the facility, less building impact fees imposed by the municipality or county. This section expires July 1, 2011.*

Section 5. In order to implement Specific Appropriations 629 through 724 and 747 through 781 of the 2010-2011 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 *2010-2011* ~~2009-2010~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *February 19, 2010* ~~April 30, 2009~~, 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 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, *2011* ~~2010~~.

Section 6. *In order to implement Specific Appropriations 1306, 1322, 1329, 1349, and 1359 of the 2010-2011 General Appropriations Act, the Department of Legal Affairs is authorized to transfer cash remaining after required disbursements for Attorney General case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-181076-00 to the Operating Trust Fund to pay salaries and benefits. This section expires July 1, 2011.*

Section 7. *In order to implement Specific Appropriations 1343 and 1344 of the 2010-2011 General Appropriations Act, the Department of Legal Affairs is authorized to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2011.*

Section 8. In order to implement Specific Appropriations 1245 and 1251 of the 2010-2011 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 *2010-2011* ~~2009-2010~~ 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, *2011* ~~2010~~.

Section 9. *In order to implement Specific Appropriations 3238 through 3260 of the 2010-2011 General Appropriations Act, the Office of State Courts Administrator, with the assistance of the clerks of the court and the Florida Association of Clerks and Comptrollers, shall report by February 15, 2011, to the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development, the number of assigned new and reopened cases and the number of cases closed by each judge in each division and circuit for the period January 1, 2010, through December 31, 2010.*

Section 10. In order to implement section 7 of the 2010-2011 General Appropriations Act, paragraph (c) is added to subsection (4) of section 29.008, Florida Statutes, to read:

29.008 County funding of court-related functions.—

(4)

(c) Counties are exempt from all requirements and provisions of paragraph (a) for the 2010-2011 fiscal year. Accordingly, for the 2010-2011 fiscal year, counties shall maintain, but are not required to increase, their expenditures for the items specified in paragraphs (1)(a)-(h) and subsection (3). The requirements described in paragraph (a) shall be reinstated beginning with the 2011-2012 fiscal year. This paragraph expires July 1, 2011.

Section 11. *(1) In order to implement Specific Appropriations 1119, 1120, 1125, 1126, 1167, 1168, 1172, 1173, 1175, 1178, 1179, 1182 through 1185, 1194, and 1199 of the 2010-2011 General Appropriations Act, the Department of Juvenile Justice must comply with the following reimbursement limitations:*

(a) No payment to a hospital or a health care provider may exceed 110 percent of the Medicare allowable rate for any health care services provided if no contract exists between the department and either the hospital or the health care provider providing services at a hospital;

(b) The department may continue to make payments for health care services at the currently contracted rates through the current term of the contract if a contract has been executed between the department and a hospital or a health care provider providing services to a hospital; however, no payments may exceed 110 percent of the Medicare allowable rate after the current term of the contract expires or after the contract is renewed during the 2010-2011 fiscal year;

(c) Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2010, between the department and a hospital or health care provider providing services at a hospital;

(d) Notwithstanding the limitations of paragraphs (a), (b), and (c), the department may pay up to 125 percent of the Medicare allowable rate for health care services at a hospital that reports or has reported a negative operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data; and

(e) The department may not execute a contract for health care services at hospitals for rates other than rates based on a percentage of the Medicare allowable rate.

(2) For purposes of this section, the term "hospital" means any hospital licensed under chapter 395, Florida Statutes.

(3) This section expires July 1, 2011.

Section 12. In order to implement Specific Appropriations 3214 through 3216, 3218, 3222, and 3245A of the 2010-2011 General Appropriations Act, subsection (3) is added to section 44.108, Florida Statutes, to read:

44.108 Funding of mediation and arbitration.—

(3) For the 2010-2011 fiscal year only and notwithstanding any other provision of law to the contrary, moneys in the Mediation and Arbitration Trust Fund may be used as specified in the General Appropriations Act. This subsection expires July 1, 2011.

Section 13. In order to implement Specific Appropriations 324 through 355 of the 2010-2011 General Appropriations Act, paragraphs (b) and (c) of subsection (3) of section 394.908, Florida Statutes, are amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity in the funding of substance abuse and mental health services for the department's districts and regions and to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be used:

(3)

(b) Notwithstanding paragraph (a) and for the *2010-2011* ~~2009-2010~~ fiscal year only, funds appropriated for forensic mental health treatment services shall be allocated to the areas of the state having the greatest demand for services and treatment capacity. This paragraph expires July 1, *2011* ~~2010~~.

(c) Notwithstanding paragraph (a) and for the *2010-2011* ~~2009-2010~~ fiscal year only, additional funds appropriated for substance abuse and mental health services from funds available through the Community-Based Medicaid Administrative Claiming Program shall be allocated as provided in the *2010-2011* ~~2009-2010~~ General Appropriations Act and in proportion to contributed provider earnings. This paragraph expires July 1, *2011* ~~2010~~.

Section 14. *In order to implement Specific Appropriation 486 of the 2010-2011 General Appropriations Act, and for the 2010-2011 fiscal year only, the following requirements shall govern Phase 2 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:*

(1) The underlying contract for which the study was let shall remain in full force and effect with the Department of Health and funding the contract for Phase 2 of the study shall be through the Department of Health.

(2) The Department of Health, the Department of Health's Research Review and Advisory Committee, and the Department of Environmental Protection shall work together to provide the necessary technical oversight of Phase 2 of the project, with the Department of Environmental Protection having maximum technical input.

(3) Management and oversight of Phase 2 shall be consistent with the terms of the existing contract; however, the main focus and priority for work to be completed for Phase 2 shall be in developing, testing, and recommending cost-effective passive technology design criteria for nitrogen reduction.

(4) The systems installed at actual home sites are experimental in nature and shall be installed with significant field testing and monitoring. The Department of Health is specifically authorized to allow installation of these experimental systems. In addition, before Phase 2 of the study is complete and notwithstanding any law to the contrary, a state agency may not adopt or implement a rule or policy that:

(a) Mandates, establishes, or implements any new nitrogen-reduction standards that apply to existing or new onsite sewage treatment systems or modification of such systems;

(b) Increases the cost of treatment for nitrogen reduction from onsite sewage treatment systems; or

(c) Directly requires or has the indirect effect of requiring, for nitrogen reduction, the use of performance-based treatment systems or any similar technology; provided the Department of Environmental Protection administrative orders recognizing onsite system modifications, developed through a basin management action plan adopted pursuant to section 403.067, Florida Statutes, are not subject to the above restrictions where implementation of onsite system modifications are phased in after completion of Phase 2, except that no onsite system modification developed in a basin management action plan shall directly or indirectly require the installation of performance-based treatment systems.

Section 15. Effective June 29, 2010, in order to implement Specific Appropriation 270 through 375 of the 2010-2011 General Appropriations Act, subsection (3) of section 1 of chapter 2007-174, Laws of Florida, is amended to read:

Section 1. Flexibility for the Department of Children and Family Services.—

(3) This section expires *July 1, 2011* ~~June 30, 2008~~.

Section 16. *In order to implement Specific Appropriation 568A of the 2010-2011 General Appropriations Act, notwithstanding the provisions of s. 216.177, Florida Statutes, requiring only 3 days' notice to the Legislature for the release of funds, budget amendments recommending the release of funds appropriated in Specific Appropriation 568A shall be provided at least 14 days before the effective date of the action and shall be subject to the objection procedures in s. 216.177(2)(b), Florida Statutes.*

Section 17. *In order to implement section 114 of the 2010-2011 General Appropriations Act, the Florida Catastrophic Storm Risk Management Center at Florida State University shall conduct the analysis as originally required in section 164 of chapter 2004-390, Laws of Florida. Notwithstanding section 164 of chapter 2004-390, Laws of Florida, the Florida Catastrophic Storm Risk Management Center at Florida State University is directed to use the most recent and available premium data for personal lines property and casualty insurance in completing the analysis.*

Section 18. In order to implement Specific Appropriation 3055P of the 2010-2011 General Appropriations Act, subsection (3) of section 218.12, Florida Statutes, is amended to read:

218.12 Appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties.—

(3) In determining the reductions in ad valorem tax revenues occurring as a result of the implementation of the revisions to Art. VII of the State Constitution approved in the special election held on January 29, 2008, the value of assessments reduced pursuant to s. 4(d)(8)a., Art. VII of the State Constitution shall include only the reduction in taxable value for homesteads established January 1, *2010* ~~2009~~.

Section 19. *The amendment to s. 218.12(3), Florida Statutes, made by this act shall expire July 1, 2011, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 20. In order to implement Specific Appropriation 2838 of the 2010-2011 General Appropriations Act, paragraph (b) of subsection (1) of section 255.518, Florida Statutes, is reenacted to read:

255.518 Obligations; purpose, terms, approval, limitations.—

(1)

(b) Payment of debt service charges on obligations during the construction of any facility financed by such obligations shall be made from funds other than proceeds of obligations.

Section 21. *The amendment to s. 255.518(1)(b), Florida Statutes, as carried forward by this act from chapters 2008-153 and 2009-82, Laws of Florida, shall expire July 1, 2011, and the text of that paragraph shall revert to that in existence on June 30, 2008, 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 22. In order to implement Specific Appropriations 2821 through 2835 of the 2010-2011 General Appropriations Act, paragraph (b) of 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)

(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, *2011* ~~2010~~.

Section 23. *Notwithstanding any provision in chapter 287, Florida Statutes, to the contrary, the Department of Management Services shall issue, by January 1, 2011, a solicitation for office supplies and subsequently award a multiple-supplier contract with at least three awarded vendors.*

Section 24. In order to implement Specific Appropriations 2379 through 2401 of the 2010-2011 General Appropriations Act, subsection (14) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(14) Notwithstanding the provisions of this section, funds derived from the sale of ~~property by~~ the Department of *Citrus' property* ~~Citrus~~ located in Lakeland, Florida, are authorized to be deposited into the Citrus Advertising Trust Fund. This subsection expires July 1, *2011* ~~2010~~.

Section 25. In order to implement Specific Appropriations 1651, 1763, 1789, and 1790 of the 2010-2011 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed in paragraph (a), for the *2010-2011* ~~2008-2009~~ fiscal year, moneys in the Land Acquisition Trust Fund are authorized for transfer to *support the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs, and the Marine Spatial Planning programs* ~~the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects~~ as provided in the General Appropriations Act. This paragraph expires July 1, *2011* ~~2009~~.

Section 26. In order to implement Specific Appropriations 1389 and 1692 of the 2010-2011 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

(12) Notwithstanding ~~the provisions of~~ subsection (8)*,* and for the *2010-2011* ~~2009-2010~~ fiscal year only, the moneys from the Water Management Lands Trust Fund shall be allocated as follows:

(a) An amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to this section, or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds;

(b) Eight million dollars to be transferred to the General Revenue Fund; ~~and~~

(c) The remaining funds to be distributed equally between the Suwannee River Water Management District and the Northwest Florida Water Management District*; and*

(d) For the 2010-2011 fiscal year only, the sum of $50,000 from the Water Management Lands Trust Fund shall be transferred to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services for the soil and water conservation districts for support services.

This subsection expires July 1, *2011* ~~2010~~.

Section 27. In order to implement Specific Appropriations 1765, 1766, 1767, 1769, and 1769A of the 2010-2011 General Appropriations Act, paragraph (g) of subsection (1) of section 403.1651, Florida Statutes, is reenacted to read:

403.1651 Ecosystem Management and Restoration Trust Fund.—

(1) There is created the Ecosystem Management and Restoration Trust Fund to be administered by the Department of Environmental Protection for the purposes of:

(g) Funding activities to preserve and repair the state's beaches as provided in ss. 161.091-161.212.

Section 28. *The amendment to s. 403.1651(1)(g), Florida Statutes, as carried forward by this act from chapter 2009-82, Laws of Florida, shall expire July 1, 2011, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 29. In order to implement Specific Appropriations 1456, 1473, 1491A, and 1493B of the 2010-2011 General Appropriations Act, subsection (3) is added to section 403.1651, Florida Statutes, to read:

403.1651 Ecosystem Management and Restoration Trust Fund.—

(3) For the 2010-2011 fiscal year only, moneys in the Ecosystems Management and Restoration Trust Fund are authorized for transfer to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services for the Farm Share, Food Banks, and Mosquito Control programs, and the Technological Research and Development Authority. This subsection expires July 1, 2011.

Section 30. In order to implement Specific Appropriations 1378 through 1538 of the 2010-2011 General Appropriations Act, subsection (2) of section 570.20, Florida Statutes, is amended to read:

570.20 General Inspection Trust Fund.—

(2) For the *2010-2011* ~~2009-2010~~ 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, *2011* ~~2010~~.

Section 31. In order to implement Specific Appropriation 1833 of the 2010-2011 General Appropriations Act, subsection (7) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

(7) Notwithstanding any provision of this section to the contrary, and for the *2010-2011* ~~2009-2010~~ fiscal year only, the Department of Environmental Protection shall award the sum of *$2,400,000* ~~$2,600,000~~ in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, *2011* ~~2010~~.

Section 32. *In order to implement Specific Appropriation 1490 of the 2010-2011 General Appropriations Act and to provide consistency and continuity in the promotion of agriculture throughout the state, notwithstanding s. 287.057, Florida Statutes, the Department of Agriculture and Consumer Services, at its discretion, may extend, revise, and renew current contracts or agreements created or entered into pursuant to chapter 2006-25, Laws of Florida. This section expires July 1, 2011.*

Section 33. In order to implement Specific Appropriation 2125 of the 2010-2011 General Appropriations Act, subsection (5) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(5) ADOPTION OF THE WORK PROGRAM.—

(a) The original approved budget for operational and fixed capital expenditures for the department shall be the Governor's budget recommendation and the first year of the tentative work program, as both are amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, prior to the beginning of the fiscal year, adopt a final work program which shall only include the original approved budget for the department for the ensuing fiscal year together with any roll forwards approved pursuant to paragraph (6)(c) and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved budget for the department for the ensuing fiscal year together with said roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under the provisions of subsection (4) plus any projects which are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department shall not in any year include any project or allocate funds to a program in the adopted work program that is contrary

to existing law for that particular year. Projects shall not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the *2010-2011* ~~2009-2010~~ fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to $20,300,000 for the purpose of funding transportation-related needs of economic development projects. This transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, 2009, in the Department of Transportation's 5-year work program. This paragraph expires July 1, *2011* ~~2010~~.

Section 34. *In order to implement Specific Appropriation 2672 and section 72 of the 2010-2011 General Appropriations Act, funds appropriated out of the Economic Development Transportation Trust Fund may be used for economic development infrastructure projects and other economic development projects; for improvements to other launch complexes and space transportation facilities in order to attract new space vehicle testing and launch business to the state; for addressing intermodal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; for advancing aerospace technology to meet the current and future needs of the United States commercial space transportation industry; and for assisting in the development of joint-use facilities and technology that support aviation and aerospace operations, including high altitude and suborbital flights and range technology development. This section expires July 1, 2011.*

Section 35. In order to implement sections 2 through 7 of the 2010-2011 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.

(b) Notwithstanding paragraph (a), and for the *2010-2011* ~~2009-2010~~ fiscal year only, the Governor may recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Government through the American Recovery and Reinvestment Act of 2009 *or by any other federal economic stimulus grant funding received*. All actions taken pursuant to the authority granted in the paragraph are subject to review and approval by the Legislative Budget Commission. This paragraph expires July 1, *2011* ~~2010~~.

Section 36. *In order to implement sections 2 through 7 of the 2010-2011 General Appropriations Act, the Executive Office of the Governor is authorized to transfer funds appropriated for the American Recovery and Reinvestment Act of 2009 (ARRA) in traditional appropriation categories in the 2010-2011 General Appropriations Act to appropriation categories established for the specific purpose of tracking funds appropriated for the ARRA. This section expires July 1, 2011.*

Section 37. In order to implement section 76 of the 2010-2011 General Appropriations Act, paragraph (n) of subsection (1) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(1) The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:

(n) To pay administrative expenses incurred in accordance with applicable laws for a multicounty transportation or expressway authority created under chapter 343 or chapter 348, where jurisdiction for the authority includes a portion of the State Highway System and the administrative expenses are in furtherance of the duties and responsibilities of the authority in the development of improvements to the State Highway System. This paragraph expires July 1, *2011* ~~2010~~.

Section 38. In order to implement Specific Appropriation 2112 of the 2010-2011 General Appropriations Act, paragraph (p) of subsection (1) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(1) The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:

(p) To pay for county and school district transportation infrastructure improvements. This paragraph expires July 1, *2011* ~~2010~~.

Section 39. In order to implement section 129 of the 2010-2011 General Appropriations Act, subsection (4) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(4) For the *2010-2011* ~~2009-2010~~ fiscal year only and notwithstanding the provisions of this section and ss. 339.09(1) and 215.32(2)(b)4., funds may be transferred from the State Transportation Trust Fund to the General Revenue Fund as specified in the General Appropriations Act. Notwithstanding ss. 206.46(3) and 206.606(2), the total amount transferred shall be reduced from total state revenues deposited into the State Transportation Trust Fund for the calculation requirements of ss. 206.46(3) and 206.606(2). This subsection expires July 1, *2011* ~~2010~~.

Section 40. In order to implement section 54 of the 2010-2011 General Appropriations Act, subsection (11) of section 445.009, Florida Statutes, is amended to read:

445.009 One-stop delivery system.—

(11)(a) A participant in an adult or youth work experience activity administered under this chapter shall be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average weekly wage, all remuneration received from the employer shall be considered a gratuity, and the participant shall not be entitled to any benefits otherwise payable under s. 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.

(b) This subsection expires July 1, *2011* ~~2010~~.

Section 41. In order to implement Specific Appropriations 1557 through 1560 of the 2010-2011 General Appropriations Act, paragraph (d) of subsection (3) of section 163.3247, Florida Statutes, is amended to read:

163.3247 Century Commission for a Sustainable Florida.—

(3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA; CREATION; ORGANIZATION.—The Century Commission for a Sustainable Florida is created as a standing body to help the citizens of this state envision and plan their collective future with an eye towards both 25-year and 50-year horizons.

(d) Members of the commission shall serve without compensation ~~but shall be entitled to receive per diem and travel expenses in accordance with s. 112.061 while in performance of their duties~~.

Section 42. *The amendment to s. 163.3247(3)(d), Florida Statutes, made by this act shall expire July 1, 2011, and the text of that paragraph shall revert to that in existence on June 30, 2010, 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 43. In order to implement Specific Appropriations 1557 through 1560 of the 2010-2011 General Appropriations Act, paragraph (c) of subsection (1) of section 201.15, Florida Statutes, as amended by section 2 of chapter 2009-271, Laws of Florida, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are subject to the service charge imposed in s. 215.20(1). Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. Such costs and the service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. After distributions are made pursuant to

subsection (1), all of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2010, secured by revenues distributed pursuant to subsection (1). All taxes remaining after deduction of costs and the service charge shall be distributed as follows:

(1) Sixty-three and thirty-one hundredths percent of the remaining taxes shall be used for the following purposes:

(c) After the required payments under paragraphs (a) and (b), the remainder shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of the lesser of 38.2 percent of the remainder or $541.75 million in each fiscal year, to be used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds. Effective July 1, 2014, the percentage allocated under this sub-subparagraph shall be increased to 10 percent;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b. Effective July 1, 2014, the first $60 million of the funds allocated pursuant to this sub-subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

2. The Grants and Donations Trust Fund in the Department of Community Affairs in the amount of the lesser of .23 percent of the remainder or $3.25 million in each fiscal year~~, with 92 percent to be used~~ to fund technical assistance to local governments and school boards on the requirements and implementation of this act ~~and the remaining amount to be used to fund the Century Commission established in s. 163.3247~~.

3. The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or $30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.

4. General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or $300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

Section 44. *The amendment to s. 201.15(1)(c)2., Florida Statutes, made by this act shall expire July 1, 2011, and the text of that subparagraph shall revert to that in existence on June 30, 2010, 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 45. In order to implement Specific Appropriations 1617 and 1615A of the 2010-2011 General Appropriations Act, subsection (8) of section 215.559, Florida Statutes, is amended to read:

215.559 Hurricane Loss Mitigation Program.—

(8)(a) Notwithstanding any other provision of this section and for the *2010-2011* ~~2008-2009~~ fiscal year only, the *$3* ~~$10~~ million appropriation provided for in subsection *(2)(b) may be used for hurricane shelters as identified in the General Appropriations Act.* ~~(1) shall be allocated as follows:~~

~~1. The sum of $2.8 million shall be used to inspect and improve tie-downs for mobile homes for the same purpose as specified in paragraph (3)(a).~~

~~2. The sum of $700,000 shall be allocated to the Florida International University for the same purpose as specified in subsection (4).~~

~~3. The sum of $6,421,764 shall be used to install emergency power generators in special needs hurricane evacuation shelters as provided in s. 1, ch. 2006-71, Laws of Florida, except that such funds may not be used for administrative purposes.~~

~~4. The sum of $78,236 shall be allocated for operational purposes of the department as specified in the 2008-2009 General Appropriations Act.~~

(b) This subsection expires *June 30, 2011* ~~July 1, 2009~~.

Section 46. In order to implement Specific Appropriation 2072 of the 2010-2011 General Appropriations Act, subsection (8) of section 332.007, Florida Statutes, is reenacted to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(8) Notwithstanding any other provision of law to the contrary, the department is authorized to fund security projects, including operational and maintenance assistance, at publicly owned public-use airports. For projects in the current adopted work program, or projects added using the available budget of the department, airports may request the department change the project purpose in accordance with this provision notwithstanding the provisions of s. 339.135(7). For purposes of this subsection, the department may fund up to 100 percent of eligible project costs that are not funded by the Federal Government. This subsection shall expire on June 30, 2012.

Section 47. *The amendment to s. 332.007(8), Florida Statutes, as carried forward by this act from chapter 2009-82, Laws of Florida, shall expire July 1, 2011, and the text of that subsection shall revert to that in existence on June 30, 2009, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 48. *In order to implement Specific Appropriation 2651 of the 2010-2011 General Appropriations Act, the Florida Major Performing Arts Center Task Force is created as follows:*

(1) The Florida Major Performing Arts Center Task Force is created for the purpose of defining and evaluating the economic impact of Florida's largest nonprofit and publically operated performing arts centers, determining an impact threshold for qualification as a Florida Major Performing Arts Center, and making recommendations for dedicated state funding and policy for support based on these findings.

(2) The task force shall consist of nine members as follows:

(a) The Secretary of State or his or her designee.

(b) The director of the Office of Tourism, Trade, and Economic Development or his or her designee.

(c) A representative from Enterprise Florida, Inc.

(d) A representative from the Florida Tourism Industry Marketing Corporation.

(e) Five members chosen from among the cultural community leadership in each region of the state in which major performing arts centers are located, of whom:

1. One member shall be appointed by the Governor.

2. Two members shall be appointed by the Speaker of the House of Representatives.

3. Two members shall be appointed by the President of the Senate.

(3) The members of the task force shall elect a chair and vice chair from among its membership. The chair shall preside at all meetings of the task force.

(4) The task force shall meet at the call of the chair or at the request of the majority of its membership to undertake and complete its purpose. The task force may conduct its meetings through teleconferences or other similar means.

(5) The task force shall submit a final report of its findings and recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than December 31, 2010.

(6) Staffing for the task force shall be provided by the Office of Tourism, Trade, and Economic Development.

(7) The task force shall terminate upon delivery of the report.

Section 49. In order to implement Specific Appropriation 2214, and associated proviso, of the 2010-2011 General Appropriations Act, subsections (10) and (11) are added to section 445.007, Florida Statutes, to read:

445.007 Regional workforce boards.—

(10) State and federal funds provided to the regional workforce boards may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc. or the Agency for Workforce Innovation except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. Workforce Florida, Inc. shall develop a statewide fiscal policy applicable to the state board and all regional workforce boards, to hold both the state and regional boards strictly accountable for adherence to the policy and subject to regular and periodic monitoring by the Agency for Workforce Innovation, the administrative entity for Workforce Florida, Inc. Boards are prohibited from expending state or federal funds for entertainment costs and recreational activities for board members and employees as these terms are defined by 2 C.F.R. part 230. This subsection expires July 1, 2011.

(11) To increase transparency and accountability, regional workforce boards shall comply with the requirements of this section before contracting with a member of the regional workforce board. Such contracts shall not be executed before or without the approval of Workforce Florida, Inc. Such contracts, as well as documentation demonstrating adherence to this section as specified by Workforce Florida, Inc. must be submitted to the Agency for Workforce Innovation for review and recommendation according to criteria to be determined by Workforce Florida, Inc. Contracts between relatives, as defined in s. 112.3143(1)(b), of a board member or employee of a board must be approved by a two-thirds vote of the entire board; all conflicts must be disclosed prior to the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote and the contract must be reviewed and approved as stated above. Contracts under $25,000 between a regional workforce board and a member of that board or between relatives, as defined in s. 112.3143(1)(b), of a board member or employees of a board are exempt from the review and recommendation process but must be approved by a two-thirds vote of the entire board and must be reported to the Agency for Workforce Innovation and Workforce Florida, Inc. within 30 days after approval. If a contract cannot be approved by Workforce Florida, Inc. a review of the decision to disapprove the contract may be requested by the regional workforce board or other parties to the disapproved contract. This subsection expires July 1, 2011.

Section 50. In order to implement Specific Appropriations 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119 through 2129, and 2169 through 2179 and section 129 of the 2010-2011 General Appropriations Act, subsection (3) is added to section 206.608, Florida Statutes, to read:

206.608 State Comprehensive Enhanced Transportation System Tax; deposit of proceeds; distribution.— Moneys received pursuant to ss. 206.41(1)(f) and 206.87(1)(d) shall be deposited in the Fuel Tax Collection Trust Fund, and, after deducting the service charge imposed in chapter 215 and 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 as follows:

(3) For the 2010-2011 fiscal year only, and notwithstanding the provisions of subsection (2), the remaining proceeds of the tax levied pursuant to s. 206.41(1)(f) and all of the proceeds from the tax imposed by s. 206.87(1)(d) shall be transferred into the State Transportation Trust Fund and shall be used for the purposes stated in s. 339.08. This paragraph expires July 1, 2011.

Section 51. In order to implement Specific Appropriations 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119 through 2129, and 2169 through 2179 and section 129 of the 2010-2011 General Appropriations Act, paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended, and present paragraphs (a) through (g) of subsection (7) of that section are redesignated as paragraphs (c) through (i), respectively, and new paragraphs (a) and (b) are added to that subsection, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(a)1. To assure that no district or county is penalized for local efforts to improve the State Highway System, the department shall, for the purpose of developing a tentative work program, allocate funds for new construction to the districts, except for the turnpike enterprise, based on equal parts of population and motor fuel tax collections. Funds for resurfacing, bridge repair and rehabilitation, bridge fender system construction or repair, public transit projects except public transit block grants as provided in s. 341.052, and other programs with quantitative needs assessments shall be allocated based on the results of these assessments. The department may not transfer any funds allocated to a district under this paragraph to any other district except as provided in subsection (7). Funds for public transit block grants shall be allocated to the districts pursuant to s. 341.052. Funds for the intercity bus program provided for under s. 5311(f) of the federal nonurbanized area formula program shall be administered and allocated directly to eligible bus carriers as defined in s. 341.031(12) at the state level rather than the district. In order to provide state funding to support the intercity bus program provided for under provisions of the federal 5311(f) program, the department shall allocate an amount equal to the federal share of the 5311(f) program from amounts calculated pursuant to s. 206.46(3).

2. Notwithstanding the provisions of subparagraph 1., the department shall allocate at least 50 percent of any new discretionary highway capacity funds to the Florida Strategic Intermodal System created pursuant to s. 339.61. Any remaining new discretionary highway capacity funds shall be allocated to the districts for new construction as provided in subparagraph 1. For the purposes of this subparagraph, the term "new discretionary highway capacity funds" means any funds available to the department above the prior year funding level for capacity improvements, which the department has the discretion to allocate to highway projects.

3. Notwithstanding *subparagraphs* ~~subparagraph~~ 1. *and 2.* and ss. *201.15(1)(c)1.a.-d.,* 206.46(3), 334.044(26), and 339.2819(3), and for the *2010-2011* ~~2009-2010~~ fiscal year only, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the *2010-2011* ~~2009-2010~~ General Appropriations Act. This subparagraph expires July 1, *2011* ~~2010~~.

4. For the 2009-2010 fiscal year only, prior to any project or phase thereof being deferred, the department's cash balances shall be as provided in paragraph (6)(b), and the reductions in subparagraph 3. shall be made to financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. These reductions shall not negatively impact safety or maintenance or project contingency percentage levels as of April 21, 2009. This subparagraph expires July 1, 2010.

5. Notwithstanding subparagraphs 1. and 2. and ss. 206.46(3) and 334.044(26), and for fiscal years 2009-2010 through 2013-2014 only, the department shall annually allocate up to $15 million of the first proceeds of the increased revenues estimated by the November 2009 Revenue Estimating Conference to be deposited into the State Transportation Trust Fund to provide for the portion of the transfer of funds included in s. 343.58(4)(a)1.a. or 2.a., whichever is applicable. The transfer of funds included in s. 343.58(4) shall not negatively impact projects included in fiscal years 2009-2010 through 2013-2014 of the work program as of July 1, 2009, as amended pursuant to subsection (7). This subparagraph expires July 1, 2014.

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(a) It is the intent of the Legislature that the department maintain fiscal solvency and make prudent use of all available fiscal resources to minimize any project, or phase thereof, from being deferred within the work program. It is further the intent of the Legislature that the department, to the maximum extent feasible, reduce financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV and reduce cash balances to a level that does not impact contracted payments due to payees beyond the requirements of ss. 215.422 and 337.141, to balance the finance plan and cash forecast to the revised funding levels resulting from any reduction in the 2010-2011 General Appropriations Act. This paragraph expires July 1, 2011.

(b) The department shall provide the documents included in subparagraphs 1.–9. to the Legislative Budget Commission when submitting the department's work program amendment to request approval to realign the work program appropriation categories to the General Appropriations Act of 2010-2011 pursuant to s. 339.135(7). In addition, any subsequent work program amendment submitted to the Legislative Budget Commission which results in a reduced project commitment level in fiscal year 2010-2011 due to a reduction in state revenues must include the following documents:

1. A proposed finance plan, including an electronic working model, as balanced to the requested work program amendment to realign the work program categories to the General Appropriations Act of 2010-2011, or any other amendments that reduce work program commitments;

2. A proposed cash forecast as balanced to the requested work program amendment to realign the work program categories to the General Appropriations Act of 2010-2011, or any other amendments that reduces work program commitments;

3. An adopted finance plan, as of July 1, 2010, including an electronic working model;

4. An adopted cash forecast, as of July 1, 2010;

5. A complete list of projects, or phases thereof, impacted from the reduced revenues in the 2010-2011 General Appropriations Act for the 2010-2011 through 2014-2015 work program;

6. The department's methodology for identifying projects, or phases thereof, for deferral or deletion for the 2010-2011 through 2014-2015 work program;

7. A letter of concurrence or nonconcurrence from the affected metropolitan planning organization or, in nonmetropolitan areas, the board of county commissioners with impacted project selections;

8. A complete list of financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV included in fiscal years 2010-2011 through 2014-2015, as of July 1, 2010; and

9. An electronic version of the 5-year work program for the adopted work program dated July 1, 2010, and any subsequent tentative work programs, submitted to the Legislature. This electronic document shall include details by district, county, financial project number, transportation system, work mix, phase, box code, appropriation category, fund code, phase, and fiscal year.

This paragraph expires July 1, 2011.

Section 52. In order to implement Specific Appropriations 2071 through 2083, 2090 through 2094, 2110 through 2117, 2119 through 2129, and 2169 through 2179 and section 129 of the 2010-2011 General Appropriations Act, subsection (7) is added to section 348.60, Florida Statutes, to read:

348.60 Lease-purchase agreements.—

(7)(a) On or before July 15, 2010, the authority shall pay $19 million to the department to reduce the authority's operation and maintenance liability owed to the department. Effective July 16, 2010, unless the secretary of the department certifies in writing to the Speaker of the House of Representatives, the President of the Senate, and the Secretary of State that such payment has been made, the governance, control, assets, and liabilities of the authority shall transfer to the department. Upon such transfer, the department shall succeed to all powers and responsibilities of the authority, and the operations and maintenance of the expressway system shall be under the control of the department, pursuant to this subsection.

(b) The transfer pursuant to this subsection shall be subject to all terms and covenants provided for the protection of the holders of the Tampa-Hillsborough County Expressway Authority Bonds, Series 2002 and 2005, in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer shall not impair the terms of the contract between the authority and the bondholders, shall not act to the detriment of the bondholders, and shall not decrease the credit quality of the bonds. After such transfer, the department shall operate and maintain the expressway system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply such revenues to the payment of debt service as provided in the bond resolution securing such bonds and expressly assumes all obligations relating to the bonds such that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer shall not modify or eliminate any prior obligation of the department to pay certain costs of the expressway system from sources other than revenues of the expressway system.

(c) The department may provide for the exercise of any powers or responsibilities provided pursuant to this subsection through the Florida Turnpike Enterprise.

This subsection expires July 1, 2011.

Section 53. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2010-2011 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 2010-2011 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, 2011.*

Section 54. *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 2010-2011 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 2010-2011 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, 2011.*

Section 55. In order to implement specific appropriations for salaries and benefits in the 2010-2011 General Appropriations Act, paragraph (a) of 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 *2010-2011* ~~2009-2010~~ 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.

Section 56. In order to implement section 8 of the 2010-2011 General Appropriations Act, paragraph (j) is added to subsection (3) of section 110.123, Florida Statutes, to read:

110.123 State group insurance program.—

(3) STATE GROUP INSURANCE PROGRAM.—

(j) Notwithstanding the provisions of paragraph (f) requiring uniform contributions, and for the 2010-2011 fiscal year only, the state contribution toward the cost of any plan in the state group insurance plan shall be the difference between the overall premium and the employee contribution. This subsection expires June 30, 2011.

Section 57. In order to implement specific appropriations for salaries and benefits in the 2010-2011 General Appropriations Act, paragraph (b) of subsection (3) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(3) Salary, leave, travel and transportation, and reimbursements for an employee of a sending party that is participating in an interchange program shall be handled as follows:

(b)1. The assignment of an employee of a state agency either on detail or on leave of absence may be made without reimbursement by the receiving party for the travel and transportation expenses to or from the place of the assignment or for the pay and benefits, or a part thereof, of the employee during the assignment.

2. For the *2010-2011* ~~2009-2010~~ fiscal year only, the assignment of an employee of a state agency as provided in subparagraph 1. may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on *Education and Economic Development* ~~General Government and Health Care~~. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177. This subparagraph expires July 1, *2011* ~~2010~~.

Section 58. *In order to implement Specific Appropriations 2768 and 2769 of the 2010-2011 General Appropriations Act:*

(1) Notwithstanding the provisions of s. 11.13(1), Florida Statutes, relating to the annual adjustment of salaries for members of the Legislature, to the contrary, for the 2010-2011 fiscal year only, the authorized salaries of members of the Legislature in effect on June 30, 2010, shall be reduced by 7 percent.

(2) Effective June 30, 2011, the annual salaries of members of the Legislature shall be set at the amounts authorized and in effect on June 30, 2010, pursuant to subsection (2) of section 48 of chapter 2009-82, Laws of Florida.

(3) This section expires July 1, 2011.

Section 59. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2010-2011 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this

subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 60. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2010-2011 General Appropriations Act, paragraph (b) of subsection (4) of section 215.5601, Florida Statutes, is reenacted to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(b) The endowment shall be managed as an annuity. The investment objective shall be long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow shall be included within the investment plan adopted under paragraph (a). Withdrawals other than specified regular cash outflow shall be considered reductions in contributed principal for the purposes of this subsection.

Section 61. *In order to implement the issuance of new debt authorized in the 2010-2011 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 2010-2011 fiscal year should be implemented and is in the best interest of the state and necessary to address a critical state emergency. This section expires July 1, 2011.*

Section 62. *In order to implement the funds appropriated in the 2010-2011 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, shall be limited during the 2010-2011 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved in writing that such activities are critical to the agency's mission. The agency head must consider the use of teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2011.*

Section 63. *In order to implement the appropriations authorized in the 2010-2011 General Appropriations Act for each of the state's designated primary data centers, which are funded from the data processing appropriation category and other categories used to pay for computing services of user agencies, 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 any appropriation category used to pay for data processing in the 2010-2011 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2011.*

Section 64. *In order to implement the appropriations authorized in the 2010-2011 General Appropriations Act which were submitted pursuant to the provisions of s. 17 of chapter 2008-116, Laws of Florida, and notwithstanding s. 216.181(1)(c), Florida Statutes, an agency may transfer funds from the data processing appropriation categories to another appropriation category for the purpose of supporting and managing its computer resources until such time as the agency's data processing function is transferred to the Southwood Shared Resource Center, the Northwood Shared Resource Center, or the Northwest Regional Data Center. This section expires July 1, 2011.*

Section 65. *State agencies required by the 2010-2011 General Appropriations Act to begin planning for a data center consolidation scheduled for a subsequent fiscal year may accelerate the consolidation into the 2010-2011 fiscal year contingent on the approval by the Legislative Budget Commission of budget adjustments to the agency and the primary data center's budget required to accomplish the consolidation. The primary data center may add positions contingent on an equal or greater number of positions being placed in reserve from the agency data center being consolidated. This section expires July 1, 2011.*

Section 66. *In order to implement Specific Appropriation 2179A of the 2010-2011 General Appropriations Act, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Expenses" of the 2010-2011 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Services. This section expires July 1, 2011.*

Section 67. *In order to implement Specific Appropriation 1765 of the 2010-2011 General Appropriations Act, the Department of Environmental Protection shall take no final agency action to deny any permit application related to rigid coastal armoring structures authorized under s. 161.085 (3), Florida Statutes, and constructed between July 1, 2005, and April 30, 2006, as a result of the impacts of Hurricane Dennis in Walton County. The 90-day time period for agency action pursuant to s. 120.60 (1), Florida Statutes, shall be tolled for these applications. At the written request of a property owner to process his or her application, the department shall issue or deny the application within 90 days or in accordance with the time periods provided in chapter 120, Florida Statutes, whichever is greater. In addition, during Fiscal Year 2010-2011, the department shall not take enforcement action against a property owner for failure to apply for a permit to allow such structures to remain permanently. A property owner who has previously filed an application with the department is not required to reapply or request reinstatement of his or her application. This section expires July 1, 2011.*

Section 68. *In order to implement section 40 of the 2010-2011 General Appropriations Act:*

(1) Notwithstanding s. 255.518(1)(b), Florida Statutes, and for the 2010-2011 fiscal year only, the payment of debt service on bonds during the construction of the Florida International University/Miami-Dade County Health Department/Florida Department of Health facility may be made from bond proceeds. Florida International University and the Miami-Dade County Health Department/Florida Department of Health are authorized to make rental payments prior to the completion of the project to the extent necessary to pay debt service on the bonds.

(2) Notwithstanding s. 255.518(1)(a), Florida Statutes, and for the 2010-2011 fiscal year only, costs relating to the initial planning, pre-

liminary design, and programming for the project may be paid from bond proceeds.

(3) Notwithstanding s. 255.506, Florida Statutes, and for the 2010-2011 fiscal year only, neither Florida International University nor the Miami-Dade County Health Department/Florida Department of Health shall be required to submit other facilities into the facilities pool to obtain financing for the project approved herein.

(4) This section expires July 1, 2011.

Section 69. *In order to implement Specific Appropriations 17 through 26 of the 2010-2011 General Appropriations Act:*

(1) The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 17 through 26 shall constitute authorized capital outlay projects within the meaning and as required by s. 9(a)(2), Art. XII of the State Constitution and any other law. In accordance therewith, the moneys in Specific Appropriations 17 through 26 are authorized to be expended for the enumerated authorized capital outlay projects.

(2) The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under s. 9(a)(2), Art. 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 s. 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 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 s. 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 2010-2011 fiscal year appropriation and shall also apply to the funds appropriated in Specific Appropriations 17 through 26.

(3) The Office of Policy and Budget in the Executive Office of the Governor shall establish fixed capital outlay budget authority within appropriate accounts to enable the expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, state colleges, community colleges, public broadcasting, and the Division of Blind Services.

(4) This section expires July 1, 2011.

Section 70. *(1) Consistent with the principles of promoting employment of state residents, ensuring that the expenditure of state funds benefits state residents, and encouraging economic development within the state, each entity expending funds provided in the 2010-2011 General Appropriations Act for any purchase of goods and services in excess of $5 million shall give preference, to the maximum extent possible under or consistent with applicable state and federal laws, to vendors or businesses with a principal place of business in the State of Florida that commit contractually to maximize the use of Florida residents, products and other Florida-based businesses in the fulfillment of their contractual duties.*

(2) This section does not apply to any contract that was funded prior to June 1, 2010.

(3) Each state agency shall identify contracts subject to this section and shall report by March 1, 2011, each contractor's compliance with this section to the Agency for Workforce Innovation.

(4) This section expires July 1, 2011.

Section 71. In order to implement section 8 of the General Appropriations Act for the 2010-2011 fiscal year, effective January 1, 2011, paragraph (a) of 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, *2011* ~~2006~~, for the State Group Health Insurance Standard Plan:

1. For generic drug with card *$7* ~~$10~~.

2. For preferred brand name drug with card *$30* ~~$25~~.

3. For nonpreferred brand name drug with card *$50* ~~$40~~.

4. For generic mail order drug *$14* ~~$20~~.

5. For preferred brand name mail order drug *$60* ~~$50~~.

6. For nonpreferred brand name mail order drug *$100* ~~$80~~.

Section 72. *Any section of this act that implements a specific appropriation or specifically identified proviso language in the 2010-2011 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. A section of this act that implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2010-2011 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 73. *If any other act passed during the 2010 Regular Session 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 takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 74. *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 severable.*

Section 75. Except as otherwise expressly provided in this act and except for this section, which shall take effect June 29, 2010, this act shall take effect July 1, 2010; 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, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to implementing the 2010-2011 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2010-2011 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds, upon certain approval, for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category; 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; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; providing for the expiration of the authority to spend those appropriations; amending s. 932.7055, F.S.; delaying the expiration of provisions authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Office of State Courts Administrator report by a date certain to the Legislature the number of assigned new and reopened cases and the number of cases closed by each judge in each division and circuit for a specified period; amending s. 29.008, F.S.; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage for the 2010-2011 fiscal year; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until

the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; requiring that funds appropriated through the Community-Based Medicaid Administrative Claiming Program be allocated proportionately to contributed provider earnings; prohibiting any state agency from adopting or implementing a rule or policy mandating or establishing new nitrogen-reduction limits under certain circumstances; amending s. 1, ch. 2007-174, Laws of Florida; extending provisions relating to the reorganization activities of the Department of Children and Family Services; providing that budget amendments recommending the release of funds shall be provided a certain time in advance and are subject to objection procedures; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis; amending s. 218.12, F.S.; requiring that the value of assessments reduced pursuant to s. 4(d)(8)a. of Art. VII of the State Constitution include only the reduction in taxable value for homesteads established in the preceding year; reenacting s. 255.518(1)(b), F.S., relating to payment of obligations during the construction of any facility financed by such obligations; amending s. 255.503, F.S.; delaying the expiration of provisions relating to the Florida Facilities Pool; requiring the Department of Financial Services to issue a solicitation for office supplies and award a multiple supplier contract by a specified date; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs, and the Marine Spatial Planning programs, rather than to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; reenacting s. 403.1651(1)(g), F.S., relating to the use of funds from the Ecosystem Management and Restoration Trust Fund for the purpose of funding activities to preserve and repair the state's beaches; amending s. 403.1651, F.S.; providing for the transfer of moneys from the Ecosystem Management and Restoration Trust Fund to the General Inspection Trust Fund for the Farm Share, Food Banks, and Mosquito Control program and the Technological Research and Development Authority; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing the Department of Agriculture and Consumer Services to use funds from the General Inspection Trust Fund for certain programs; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants equally to certain counties for waste tire and litter prevention, recycling education, and general solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; amending s. 339.135, F.S.; providing for use of transportation revenues; requiring that the Department of Transportation transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding transportation-related needs of economic development projects; providing that funds appropriated from the Economic Development Transportation Trust Fund may be used to attract new space business to the state and for other specified needs for the development of aviation and aerospace operations; amending s. 216.292, F.S.; permitting the Legislative Budget Commission to review and approve recommendations by the Governor for fixed capital outlay projects funded by grants awarded from the American Recovery and Reinvestment Act of 2009 or by any other federal economic stimulus grant funding received; authorizing the Executive Office of the Governor to transfer funds appropriated for the American Recovery and Reinvestment Act of 2009 in traditional appropriation categories in the General Appropriations Act to appropriation categories established for the specific purpose of tracking funds appropriated pursuant to that act; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing the transfer of funds from the State Transportation Trust Fund to the General Revenue Fund under certain circumstances; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; amending s. 163.3247, F.S.; removing a provision that entitles members of the Century Commission for a Sustainable Florida to receive per diem and travel expenses; amending s. 201.15, F.S.; revising provisions relating to funds deposited into the Grants and Donations Trust Fund in the Department of Community Affairs which are used to fund the Century Commission; amending s. 215.559, F.S.; delaying the expiration of provisions relating to the Hurricane Loss Mitigation Program; providing for use of certain appropriated funds for hurricane shelters; reenacting s. 332.007(8), F.S., relating to the funding of security projects at publicly owned public-use airports; providing for the future expiration of certain amendments to such provision and for the reversion of statutory text; establishing the Florida Major Performing Arts Center Task Force; providing purposes; providing criteria for task force membership, election of officers, operation of meetings, submission of a final report, and staffing; amending s. 445.007, F.S.; prohibiting the use of state and federal funds for certain purposes unless expressly authorized by law; permitting reimbursement of certain per diem allowances and travel expenses; requiring the development of a statewide fiscal policy; prohibiting expenditures of state or federal funds for entertainment and recreational expenses; providing for increased transparency and accountability; prescribing terms and conditions of contracts and procedures for review; providing for exemptions and review procedures; amending s. 206.608, F.S.; authorizing the transfer of certain tax funds to the State Transportation Trust Fund; amending s. 339.135, F.S.; providing legislative intent; requiring the Department of Transportation to submit certain documents when submitting the department's work program amendment to the Legislative Budget Commission; amending s. 348.60, F.S.; requiring the Tampa-Hillsborough County Expressway Authority to transfer funds to the department by a specified date; providing for the transfer of governance and control and the assets and liabilities of the Authority if the funds are not transferred by the specified date; 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. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 110.123, F.S., relating to the state group insurance program; requiring that, for the 2010-2011 fiscal year only, the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2010-2011 General Appropriations Act; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers, pursuant to statutory procedures for notice, review, and objection; authorizing agencies to transfer funds from data processing appropriation categories to other appropriation categories in order to support and manage computer resources, notwithstanding other provisions of law; authorizing state agencies to begin planning for data center consolidations; authorizing the primary data center to add positions under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; prohibiting the Department of Environmental Protection from taking final agency action to deny permit applications for specified rigid coastal armoring structures; providing for the department to take final agency action on such permit applications within specified time periods; prohibiting the department from taking enforcement action against a property owner for failure to apply for certain permits; providing for future expiration of various provisions; authorizing the payment of debt service on bonds during the construction of the Florida International University/Miami-Dade County Health Department/Florida Department of Health facility; permitting rental payments; permitting the payment of certain costs from bond proceeds; prohibiting certain facilities from being required to submit other entities into the facilities pool to obtain financing; authorizing funds to be expended for enumerated authorized education capital outlay projects; specifying requirements for funded projects; requiring the Office of Policy and Budget in the Executive Office of the Governor to establish budget authority within appropriate accounts; requiring that preference, to the maximum extent possible, be given to entities committed to using Florida residents and products in fulfilling their contractual duties; ex-

empting contracts funded before a specified date; requiring state agencies to identify contracts affected by these provisions and report by a date certain each contractor's compliance to the Agency for Workforce Innovation; amending s. 110.12315, F.S.; revising copayments for the state employees' prescription drug program; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5003** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Ring
Aronberg	Garcia	Siplin
Baker	Gardiner	Smith
Bennett	Haridopolos	Sobel
Bullard	Hill	Storms
Constantine	Jones	Thrasher
Crist	Joyner	Villalobos
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	

Nays—3

Gelber	Justice	Rich

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5003** which came before the full Senate for a vote on April 30, 2010.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

The Honorable Jeff Atwater, 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 5705, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5705

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5705, same being:

An act relating to state employees.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
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Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
John Legg
s/ Charles McBurney
s/ Dave Murzin
s/ H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
s/ Trudi K. Williams

Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
s/ Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
s/ Mike Horner
s/ Dorothy L. Hukill
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s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
s/ Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5705, relating to state employment, resolves the noneconomic collective bargaining issues at

impasse between the State of Florida and the bargaining representatives for state employees for the 2010-2011 fiscal year.

Conference Committee Amendment (218398)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues at impasse for the 2010-2011 fiscal year between the State of Florida and the legal representatives of the certified bargaining units for state employees shall be resolved as follows:*

(1) Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association regarding Article 11 "Classification Review," Article 24 "On-call Assignment, Call-Back and Residency," and Article 30 "Prevailing Rights" 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 Police Benevolent Association – Law Enforcement Unit regarding Article 8 "Workforce Reduction," Article 10 "Disciplinary Action," Article 12 "Personnel Records," and Article 36 "Awards" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(3) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association – Special Agent Unit regarding Article 7 "Internal Investigations and Disciplinary Actions" and Article 8 "Workforce Reduction" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(4) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association – Highway Patrol Unit regarding Article 10 "Disciplinary Action" and Article 15 "Seniority" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(5) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association – Security Services Unit regarding Article 23 "Hours of Work/Overtime" 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 Federation of Physicians and Dentists - Selected Exempt Service - Supervisory Non-Professional Unit regarding Article 18 "Hours of Work and Leave of Absence" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(7) Collective bargaining issues at impasse between the State of Florida and the Florida Nurses Association - Professional Health Care Unit regarding Article 8 "Workforce Reduction" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(8) Collective bargaining issues at impasse between the State of Florida and the Federation of Public Employees - Lottery Administration and Support Unit regarding Article 6 "Employee Records" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

All other mandatory collective bargaining issues at impasse for the 2010-2011 fiscal year which are not addressed by this act or the General Appropriations Act for the 2010-2011 fiscal year shall be resolved consistent with the personnel rules in effect on May 1, 2010, and by otherwise maintaining the status quo under the language of the applicable current collective bargaining agreements.

Section 2. This act shall take effect July 1, 2010.

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; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for all other mandatory collective bargaining issues that are at impasse and that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules or by otherwise maintaining the status quo; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5705** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for CS for HB 5801, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5801

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5801, same being:

An act relating to taxation.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large

s/ Mike Haridopolos
Vice Chair
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s/ Garrett S. Richter
s/ Gary Siplin

s/ Christopher L. "Chris" Smith
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s/ Adam Hasner, At Large
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s/ Matt Hudson
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s/ Charles McBurney
s/ Dave Murzin
s/ H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
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s/ Robert C. "Rob" Schenck
Darren Soto
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At Large
s/ Will W. Weatherford, At Large
s/ Trudi K. Williams
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s/ Sandra "Sandy" Adams
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s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
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s/ Bill Galvano, At Large
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Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for HB 5801, relating to taxation:

- Directs the Department of Revenue (department) to create an amnesty program for taxpayers subject to state and local taxes imposed by chapters 125, 175, 185, 198, 199, 201, 202, 203, 206, 211, 212, 220, 221, 252, 336, 376, 403, 624, 627, 629, and 681, Florida Statutes. The amnesty program will:
  - Begin July 1, 2010 and end on September 1, 2010,
  - Be available to a taxpayer whether or not the taxpayer is under audit,
  - Prohibit the imposition of penalties,
  - Interest due may be reduced to 75% of the amount due for certain liabilities and to 50% for those taxpayers that make initial contact to the department through the amnesty program.
- Provides an appropriation of $1,234,000 in nonrecurring GR to administer the amnesty program.
- Revises the severance tax on phosphate by:
  - Reducing the rate of the severance tax on phosphate from $1.945 per ton to $1.71 per ton as of July 1, 2010 and then to $1.61 per ton as of July 1, 2011.
  - Eliminating a contingent tax reduction.
  - Revising the distributions from the tax for 2010-11 and again for 2011-12.
- Provides additional enforcement tools to the department by:
  - Allowing the department to share information with the Division of Hotels and Restaurants of the Department of Business and Professional Regulation (DBPR) and allows the disclosure of certain information regarding delinquent taxpayers.
  - Authorizes DBPR to suspend the license of a public lodging establishment for outstanding tax warrants.
  - Integrates the department's enforcement authority with respect to certification of registration, permit or licenses. Provides emergency rule making authority.
  - Provides for transfers of tax liabilities when business assets are transferred under certain circumstances.
- Revises the calculation for certain payments to fiscally constrained counties.
- Provides 25 full time audit positions to the department and $817,448 in salary rate and appropriates $1,445,100 recurring funds and $96,925 nonrecurring funds from the General Revenue Fund.

The amendment amends sections 211.3103, 213.053, 213.50, 213.692, 213.758, and 218.12, Florida Statutes.

The effective date is upon becoming a law.

Conference Committee Amendment (721269)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *(1) No later than July 1, 2010, the Department of Revenue shall develop and implement an amnesty program for taxpayers subject to the state and local taxes imposed by chapters 125, 175, 185, 198, 199, 201, 202, 203, 206, 211, 212, 220, 221, 252, 336, 376, 403, 624, 627, 629, and 681, Florida Statutes.*

(2) The amnesty program shall be a one-time opportunity for eligible taxpayers to satisfy their tax liabilities under the revenue laws of this state and thereby avoid criminal prosecution, penalties, and interest as provided in subsections (5), (6), and (7). Any taxpayer that has entered into a settlement of liability for state or local option taxes before July 1, 2010, whether or not full and complete payment of the settlement amount has been made, is not eligible to participate in the amnesty program.

(3) The amnesty program shall be in effect for a 3-month period beginning on July 1, 2010, and ending on September 30, 2010. The amnesty program shall apply only to tax liabilities due prior to July 1, 2010. In order to participate in the amnesty program, eligible taxpayers must file the forms and other documentation specified by the Department of Revenue, including, but not limited to, returns and amended returns, and must make full payment of tax due, the interest due as provided in subsections (5) and (6), and the administrative collection processing fee imposed pursuant to s. 213.24, Florida Statutes.

(4) The administrative collection processing fee imposed pursuant to s. 213.24, Florida Statutes, shall be calculated on the tax, penalty, and interest due before the reductions allowed by the amnesty program.

(5) A taxpayer may participate in the amnesty program whether or not the taxpayer is under audit, inquiry, examination, or civil investigation initiated by the Department of Revenue, regardless of whether the amount due is included in a proposed assessment or an assessment, bill, notice, or demand for payment issued by the Department of Revenue, and without regard to whether the amount due is subject to a pending administrative or judicial proceeding. If any of the circumstances set forth in this subsection apply, the taxpayer shall pay the full amount of the tax due and 75 percent of the amount of interest due. When the department has issued a notice of intent to conduct an audit to a taxpayer but has not commenced the audit, the taxpayer may apply to the department during the amnesty program for approval to have the audit converted to the certified audits program authorized by s. 213.285, Florida Statutes. When a taxpayer has been approved during the amnesty program to have an audit converted to

the certified audits program, payment of any liability determined as a result of this participation in the certified audits program must be made during the period the amnesty program is in effect. A taxpayer that is participating in the certified audits program authorized by s. 213.285, Florida Statutes, is eligible for the interest and penalty compromises authorized by the amnesty program or the certified audits program, but not both.

(6) If the circumstances set forth in subsection (5) do not apply and the initial contact with the Department of Revenue is made by the taxpayer pursuant to the amnesty program, the taxpayer shall pay the full amount of the tax due and 50 percent of the amount of interest due.

(7) Penalties may not be imposed on any tax paid pursuant to the amnesty program, and the Department of Revenue may not initiate a criminal investigation against or refer for prosecution any taxpayer participating in the amnesty program with respect to the failure to timely pay the tax disclosed in the amnesty program.

(8) Participation in the amnesty program is conditioned upon the taxpayer's express waiver of rights to contest taxes being reported pursuant to the amnesty program. If the taxes reported pursuant to the amnesty program are the subject of a pending informal protest under s. 213.21, Florida Statutes, or of administrative or judicial proceedings that have not become final as of the date payment of the taxes is made pursuant to the amnesty program, participation in the amnesty program is conditioned upon the taxpayer's withdrawal of such informal protest or dismissal of such administrative or judicial proceeding. Participation in the amnesty program is also conditioned upon the taxpayer's express agreement to waive any right to claim a refund or to protest or initiate an administrative or judicial proceeding to review any denial of a refund claim for any refund of tax or interest paid under the amnesty program except as provided in this subsection. A refund of any penalty or interest paid prior to July 1, 2010, may not be made. Any credit or refund of tax or interest paid as a result of participation in the amnesty program is strictly limited to amounts determined by the Department of Revenue to have been paid in error.

(9) In lieu of making full payment, as provided in subsection (3), a taxpayer may request in writing to make stipulated payments under a stipulated payment agreement. To be eligible to make stipulated payments, the taxpayer must sign the agreement to participate in the amnesty program, make a request for stipulated payments, and sign a stipulated payment agreement. The taxpayer shall make a minimum down payment of 12.5 percent of the outstanding amount due under the amnesty, pay the remaining balance in up to seven additional monthly installments, and meet each payment term detailed on the amortization schedule provided by the department. Interest on the balance shall accrue pursuant to s. 213.235, Florida Statutes. If a taxpayer fails to make a monthly installment payment or is delinquent, the agreement to participate in the amnesty program and the stipulated payment agreement are void and the full amount of the original liability, including any interest and penalty, are due and payable.

(10) A taxpayer under criminal investigation, indictment, information, or prosecution regarding a revenue law of this state is not eligible to participate in the amnesty program. A taxpayer under pretrial intervention or a diversion program, probation, or community control or in a work camp, jail, state prison, or another correctional system regarding a revenue law of this state is not eligible to participate in the amnesty program.

(11) With or without an audit, the Department of Revenue may issue a notice or demand for payment with respect to any tax or interest that the department determines to be due with any return filed under the tax amnesty program, and such notice and demand is prima facie correct in any administrative, judicial, or quasi-judicial proceeding.

(12) The Department of Revenue may, on the basis of fraud, misrepresentation, or mutual mistake of fact, rescind a grant of amnesty, including any amnesty granted as a result of participation in the certified audit program during the period the amnesty program is in effect. Any taxpayer that files under the amnesty program false or fraudulent returns, forms, or documentation or attempts in any manner to defeat or evade a tax is subject to applicable penalties and criminal prosecution.

(13) Any local option tax administered by a local government that imposed the tax pursuant to a statute permitting self-administration is excluded from the amnesty program unless the local government notifies the Department of Revenue by June 1, 2010, that it chooses to participate in the amnesty program.

(14) The executive director of the Department of Revenue

may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the amnesty program. Such rules may provide forms, procedures, terms, conditions, and methods of payment appropriate for fair and effective administration of the amnesty program and to ensure taxpayers' ongoing commitment to proper remittance of taxes to the state. Notwithstanding any other law, the emergency rules shall remain in effect until 6 months after the date of adoption of the rule or the date of final resolution of all amnesty applications filed pursuant to this section, whichever is later.

Section 2. *The sum of $1,234,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of administering the amnesty program created by this act. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2010, shall revert and be reappropriated for the same purpose in the 2010-2011 fiscal year.*

Section 3. Subsection (11) of section 211.3103, Florida Statutes, is amended to read:

211.3103 Levy of tax on severance of phosphate rock; rate, basis, and distribution of tax.—

(11)(a) Beginning July 1, 2008, there is hereby levied a surcharge of $1.38 per ton severed in addition to the excise tax levied by this section. The surcharge shall be levied until the last day of the calendar quarter in which the total revenue generated by the surcharge equals $60 million. Revenues derived from the surcharge shall be deposited into the Nonmandatory Land Reclamation Trust Fund and shall be exempt from the general revenue service charge provided in s. 215.20. Revenues derived from the surcharge shall be used to augment funds appropriated for the rehabilitation, management, and closure of the Piney Point and Mulberry sites and for approved reclamation of nonmandatory lands in accordance with chapter 378. A minimum of 75 percent of the revenues from the surcharge shall be dedicated to the Piney Point and Mulberry sites.

(b) Beginning July 1, 2008, the excise tax rate shall be $1.945 per ton severed and the base rate adjustment provided in subsection (6) shall not apply.

(c)*1.* Beginning July 1 of the *2010-2011* fiscal year ~~following the date on which the amount of revenues collected from the surcharge equals or exceeds $60 million~~, the tax rate shall be the base rate of *$1.71* ~~$1.51~~ per ton severed.

2. Beginning July 1 of the 2011-2012 fiscal year, the tax rate shall be the base rate of $1.61 per ton severed.

3. ~~and~~ The base rate adjustment provided in subsection (6) shall not apply until the conditions of paragraph (d) are met.

(d) Beginning July 1 of the fiscal year following the date on which a taxpayer's surcharge offset equals or exceeds the total amount of surcharge remitted by such taxpayer under paragraph (a), and each year thereafter, the excise tax rate levied on such taxpayer shall be adjusted as provided in subsection (6). The surcharge offset for each taxpayer is an amount calculated by the department equal to the cumulative difference between the amount of excise tax that would have been collected under subsections (5) and (6) and the excise tax collected under *subparagraphs (c)1. and 2.* ~~paragraph (c)~~ from such taxpayer.

(e) Beginning July 1 of the *2010-2011* fiscal year ~~after the revenues from the surcharge equal $60 million~~, the proceeds of all taxes, interest, and penalties imposed under this section shall be exempt from the general revenue service charge provided in s. 215.20, and shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, *21.9* ~~25.5~~ percent.

2. To the credit of the General Revenue Fund of the state, *37.1* ~~37~~ percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, *12* ~~13.6~~ percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, *9.4* ~~10.7~~ percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, *5.8* ~~6.6~~ percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, *5.8* ~~6.6~~ percent.

7. To the credit of the Minerals Trust Fund, 8.0 percent.

(f) Beginning July 1 of the 2011-2012 fiscal year, the proceeds of all taxes, interest, and penalties imposed under this section are exempt from the general revenue service charge provided in s. 215.20, and such proceeds shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 25.5 percent.

2. To the credit of the General Revenue Fund of the state, 35.7 percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 12.8 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated as a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 10.0 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 6.2 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 6.2 percent.

7. To the credit of the Minerals Trust Fund, 3.6 percent.

(g)~~(f)~~ For purposes of this section, "phosphate-related expenses" means those expenses that provide for infrastructure or services in support of the phosphate industry, reclamation or restoration of phosphate lands, community infrastructure on such reclaimed lands, and similar expenses directly related to support of the industry.

Section 4. Effective July 1, 2010, paragraph (d) of subsection (8) of section 213.053, Florida Statutes, is amended, and subsections (20) and (21) are added to that section, to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(d) Names, addresses, ~~and~~ sales tax registration information*, and information relating to a public lodging establishment or a public food service establishment having an outstanding tax warrant, notice of lien, or judgment lien certificate* to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation in the conduct of its official duties.

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.

(20)(a) The department may publish a list of taxpayers against whom the department has filed a warrant, notice of lien, or judgment lien certificate. The list may include the name and address of each taxpayer; the amounts and types of delinquent taxes, fees, or surcharges, penalties, or interest; and the employer identification number or other taxpayer identification number.

(b) The department shall update the list at least monthly to reflect payments for resolution of deficiencies and to otherwise add or remove taxpayers from the list.

(c) The department may adopt rules to administer this subsection.

(21) The department may disclose information relating to taxpayers against whom the department has filed a warrant, notice of lien, or judgment lien certificate. Such information includes the name and address of the taxpayer, the actions taken, the amounts and types of liabilities, and the amount of any collections made.

Section 5. Effective July 1, 2010, section 213.50, Florida Statutes, is amended to read:

213.50 Failure to comply; revocation of corporate charter *or license to operate a public lodging establishment or public food service establishment*; refusal to reinstate charter *or license*.—

(1) Any corporation of this state which has an outstanding tax warrant that has existed for more than 3 consecutive months is subject to the revocation of its charter as provided in s. 607.1420.

(2) A request for reinstatement of a corporate charter may not be granted by the Division of Corporations of the Department of State if an outstanding tax warrant has existed for that corporation for more than 3 consecutive months.

(3)(a) The Division of Hotels and Restaurants of the Department of Business and Professional Regulation may suspend a license to operate a public lodging establishment or a public food service establishment if a tax warrant has been outstanding against the licenseholder for more than 3 months.

(b) The division may deny an application to renew a license to operate a public lodging establishment or a public food service establishment if a tax warrant has been outstanding against the licenseholder for more than 3 months.

Section 6. Effective July 1, 2010, section 213.692, Florida Statutes, is created to read:

213.692 Integrated enforcement authority.—

(1) If the department files a warrant, notice of lien, or judgment lien certificate against the property of a taxpayer, the department may also revoke all certificates of registration, permits, or licenses issued by the department to that taxpayer.

(a) Before the department may revoke the certificates of registration, permits, or licenses, the department must schedule an informal conference that the taxpayer is required to attend. At the conference, the taxpayer may present evidence regarding the department's intended action or enter into a compliance agreement. The department must provide written notice to the taxpayer of the department's intended action and the time, date, and place of the conference. The department shall issue an administrative complaint to revoke the certificates of registration, permits, or licenses if

the taxpayer does not attend the conference, enter into a compliance agreement, or comply with the compliance agreement.

(b) The department may not issue a certificate of registration, permit, or license to a taxpayer whose certificate of registration, permit, or license has been revoked unless:

1. The outstanding liabilities of the taxpayer have been satisfied; or

2. The department enters into a written agreement with the taxpayer regarding any outstanding liabilities and, as part of such agreement, agrees to issue a certificate of registration, permit, or license.

(c) The department shall require a cash deposit, bond, or other security as a condition of issuing a new certificate of registration pursuant to the requirements of s. 212.14(4).

(2) If the department files a warrant or a judgment lien certificate in connection with a jeopardy assessment, the department must comply with the procedures in s. 213.732 before or in conjunction with those provided in this section.

(3) The department may adopt rules to administer this section.

Section 7. *Effective July 1, 2010, the Department of Revenue is authorized to adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer s. 213.692, Florida Statutes. The emergency rules shall remain in effect for 6 months after adoption and may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules.*

Section 8. Section 213.758, Florida Statutes, is created to read:

213.758 Transfer of tax liabilities.—

(1) As used in this section, the term:

(a) "Involuntary transfer" means a transfer of a business or stock of goods made without the consent of the transferor, including, but not limited to, a transfer:

1. That occurs due to the foreclosure of a security interest issued to a person who is not an insider as defined in s. 726.102;

2. That results from an eminent domain or condemnation action;

3. Pursuant to chapter 61, chapter 702, or the United States Bankruptcy Code;

4. To a financial institution, as defined in s. 655.005, if the transfer is made to satisfy the transferor's debt to the financial institution; or

5. To a third party to the extent that the proceeds are used to satisfy the transferor's indebtedness to a financial institution as defined in s. 655.005. If the third party receives assets worth more than the indebtedness, the transfer of the excess may not be deemed an involuntary transfer.

(b) "Transfer" means every mode, direct or indirect, with or without consideration, of disposing of or parting with a business or stock of goods, and includes, but is not limited to, assigning, conveying, demising, gifting, granting, or selling.

(2) A taxpayer who is liable for any tax, interest, penalty, surcharge, or fee administered by the department pursuant to chapter 443 or described in s. 72.011(1), excluding corporate income tax, and who quits a business without the benefit of a purchaser, successor, or assignee, or without transferring the business or stock of goods to a transferee, must file a final return and make full payment within 15 days after quitting the business. A taxpayer who fails to file a final return and make payment may not engage in any business in this state until the final return has been filed and all taxes, interest, or penalties due have been paid. The Department of Legal Affairs may seek an injunction at the request of the department to prevent further business activity until such tax, interest, or penalties are paid. A temporary injunction enjoining further business activity may be granted by a court without notice.

(3) A taxpayer who is liable for taxes, interest, or penalties levied under chapter 443 or any of the chapters specified in s. 213.05, excluding corporate income tax, who transfers the taxpayer's business or stock of goods, must file a final return and make full payment within 15 days after the date of transfer.

(4)(a) A transferee, or a group of transferees acting in concert, of more than 50 percent of a business or stock of goods is liable for any tax, interest, or penalties owed by the transferor unless:

1. The transferor provides a receipt or certificate from the department to the transferee showing that the transferor is not liable for taxes, interest, or penalties from the operation of the business; and

2. The department finds that the transferor is not liable for taxes, interest, or penalties after an audit of the transferor's books and records. The audit may be requested by the transferee or the transferor. The department may charge a fee for the cost of the audit if it has not issued a notice of intent to audit by the time the request for the audit is received.

(b) A transferee may withhold a portion of the consideration for a business or stock of goods to pay the taxes, interest, or penalties owed to the state from the operation of the business. The transferee shall pay the withheld consideration to the state within 30 days after the date of the transfer. If the consideration withheld is less than the transferor's liability, the transferor remains liable for the deficiency.

(c) A transferee who acquires the business or stock of goods and fails to pay the taxes, interest, or penalties due may not engage in any business in the state until the taxes, interest, or penalties are paid. The Department of Legal Affairs may seek an injunction at the request of the department to prevent further business activity until such tax, interest, or penalties are paid. A temporary injunction enjoining further business activity may be granted by a court without notice.

(5) The transferee, or transferees acting in concert, of more than 50 percent of a business or stock of goods are jointly and severally liable with the transferor for the payment of the taxes, interest, or penalties owed to the state from the operation of the business by the transferor.

(6) The maximum liability of a transferee pursuant to this section is equal to the fair market value of the property transferred or the total purchase price, whichever is greater.

(7) After notice by the department of transferee liability under this section, the transferee has 60 days within which to file an action as provided in chapter 72.

(8) This section does not impose liability on a transferee of a business or stock of goods pursuant to an involuntary transfer.

(9) The department may adopt rules necessary to administer and enforce this section.

Section 9. Notwithstanding section 25 of chapter 2009-82, Laws of Florida, subsection (3) of section 218.12, Florida Statutes, as created by section 24 of chapter 2009-82, Laws of Florida, shall not expire July 1, 2010, but is reenacted and amended to read:

218.12 Appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties.—

(3) In determining the reductions in ad valorem tax revenues occurring as a result of the implementation of the revisions to Art. VII of the State Constitution approved in the special election held on January 29, 2008, the value of assessments reduced pursuant to s. 4(d)(8)a., Art. VII of the State Constitution shall include only the reduction in taxable value for homesteads established January 1 *of the year in which the determination is being made*~~, 2009~~.

Section 10. *For the 2010-2011 fiscal year, 25 full-time equivalent positions, with associated salary rate of $817,448, are authorized. Also for the 2010-2011 fiscal year, the sums of $1,445,100 in recurring funds and $96,925 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Revenue for the purpose of conducting audits and tax collection services in the department.*

Section 11. 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 taxation; directing the Department of Revenue to develop and implement an amnesty program for taxpayers subject to the state and local taxes imposed by chapters 125, 175, 185, 198, 199, 201, 202, 203, 206, 211, 212, 220, 221, 252, 336, 376, 403, 624, 627, 629, and 681, F.S., and required to be paid to the Department of Revenue; providing time periods; providing program guidelines; providing for eligible participants; providing for waiver of penalties and interest under specified circumstances; providing for emergency rules; providing an appropriation; amending s. 211.3103, F.S.; revising the rate and distribution of taxes on the severance of phosphate rock; amending s. 213.053, F.S.; providing that the department may release confidential taxpayer information relating to a corporation having an outstanding tax warrant to the Department of Business and Professional Regulation; authorizing the department to publish a list of taxpayers against whom it has filed a warrant, notice of lien, or judgment lien certificate; requiring the department to update the list at least monthly; authorizing the department to adopt rules; authorizing the department to provide confidential taxpayer information relating to collections from taxpayers against whom it has taken a collection action; amending s. 213.50, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to suspend or deny the renewal of a license to operate a public lodging establishment or public food service establishment under certain circumstances; creating s. 213.692, F.S.; authorizing the Department of Revenue to revoke all certificates of registration, permits, or licenses issued to a taxpayer against whose property the department has filed a warrant, notice of lien, or judgment lien certificate; requiring the scheduling of an informal conference before revocation of the certificates of registration, permits, or licenses; prohibiting the Department of Revenue from issuing a certificate of registration, permit, or license to a taxpayer whose certificate of registration, permit, or license has been revoked; providing exceptions; requiring security as a condition of issuing a new certificate of registration to a person whose certificate of registration, permit, or license has been revoked after the filing of a warrant, notice of lien, or judgment lien certificate; authorizing the department to adopt rules, including emergency rules; creating s. 213.758, F.S.; defining terms; providing for the transfer of tax liabilities to the transferee of a business or a stock of goods under certain circumstances; providing exceptions; requiring a taxpayer who quits a business to file a final tax return; authorizing the Department of Legal Affairs to seek injunctions to prevent business activities until taxes are paid; requiring the transferor of a business or stock of goods to file a final tax return and make a full tax payment after a transfer; authorizing a transferee of a business or stock of goods to withhold a portion of the consideration for the transfer for the payment of certain taxes; authorizing the Department of Legal Affairs to seek an injunction to prevent business activities by a transferee until the taxes are paid; providing that the transferees are jointly and severally liable with the transferor for the payment of taxes, interest, or penalties under certain circumstances; limiting the transferee's liability to the value or purchase price of the transferred property; specifying a time period within which a transferee may file certain actions; providing no liability to a transferee for an involuntary transfer; authorizing the Department of Revenue to adopt rules; reenacting and amending s. 218.12, F.S.; making permanent a methodology for determining the value of assessments for certain homesteads for certain purposes; authorizing full-time equivalent positions and providing an appropriation for the purpose of conducting audits and tax collection services in the Department of Revenue; providing effective dates.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for HB 5801** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Haridopolos
Alexander	Detert	Hill
Altman	Diaz de la Portilla	Jones
Aronberg	Dockery	Joyner
Baker	Fasano	Justice
Bennett	Gaetz	Lawson
Bullard	Garcia	Lynn
Constantine	Gardiner	Negron
Crist	Gelber	Oelrich
Peaden	Smith	Villalobos
Rich	Sobel	Wilson
Ring	Storms	Wise
Siplin	Thrasher	

Nays—None

The Honorable Jeff Atwater, 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 5303, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5303

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5303, same being:

An act relating to the Agency for Persons with Disabilities.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5303, relating to Agency for Persons with Disabilities:

- Directs the agency to develop and implement a comprehensive redesign of the home and community-based services delivery system. The system created in section 393.0662, Florida Statutes, develops individual budgets (iBudgets), a system designed to improve the financial management of waiver services.

- Includes a new assessment instrument (the Department of Children and Family Services' "Individual Cost Guidelines") for use when assigning individuals to waiver tiers.

- Includes age as a characteristic for the purpose of tier assignment. In addition, the amendment specifies that individuals enrolled in tier four on July 1, 2007, are assigned to tier four without the need for further assessment.

- Establishes an expenditure cap on tier 1 at $150,000 per client each year with some exceptions for individuals who need intensive behavioral services or special medical home care as identified in the Developmental Disabilities Waiver Services Coverage and Limitations Handbook.

- Reduces the expenditure caps on home and community based waiver tiers 2, 3, and 4 by 2.5 percent and reduces service provider rates by a corresponding 2.5 percent.

- Directs Medicaid administrative hearings requested by clients or their representatives, who have any substantial interest determined by the agency, to be conducted by the Department of Children and Family Services pursuant to s. 409.285, F.S.

- Establishes the Services for Children with Developmental Disabilities Task Force to make recommendations and develop a plan for the creation of, and enrollment in, the Developmental Disabilities Savings Program.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment (088345)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (1) and (3) of section 393.0661, Florida Statutes, are amended 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.

(1) The redesign of the home and community-based services system shall include, at a minimum, all actions necessary to achieve an appropriate rate structure, client choice within a specified service package, appropriate assessment strategies, an efficient billing process that contains reconciliation and monitoring components, *and* a redefined role for support coordinators that avoids potential conflicts of interest~~,~~ and ensures that family/client budgets are linked to levels of need.

(a) The agency shall use an assessment instrument that *the agency deems to be* ~~is~~ reliable and valid*, including, but not limited to, the Department of Children and Family Services' Individual Cost Guidelines or the agency's Questionnaire for Situational Information*. The agency may contract with an external vendor or may use support coordinators to complete client assessments if it develops sufficient safeguards and training to ensure ongoing inter-rater reliability.

(b) The agency, with the concurrence of the Agency for Health Care Administration, may contract for the determination of medical necessity and establishment of individual budgets.

(3) The Agency for Health Care Administration, in consultation with the agency, shall seek federal approval and implement a four-tiered waiver system to serve eligible clients through the developmental disabilities and family and supported living waivers. The agency shall assign all clients receiving services through the developmental disabilities waiver to a tier based on *the Department of Children and Family Services' Individual Cost Guidelines, the agency's Questionnaire for Situational Information, or another such assessment instrument deemed to be valid and reliable by the agency;* ~~a valid assessment instrument,~~ client characteristics, *including, but not limited to, age;* and other appropriate assessment methods.

(a) Tier one is limited to clients who have service needs that cannot be met in tier two, three, or four for intensive medical or adaptive needs and that are essential for avoiding institutionalization, or who possess behavioral problems that are exceptional in intensity, duration, or frequency and present a substantial risk of harm to themselves or others. *Total annual expenditures under tier one may not exceed $150,000 per client each year, provided that expenditures for clients in tier one with a documented medical necessity requiring intensive behavioral residential habilitation services, intensive behavioral residential habilitation services with medical needs, or special medical home care, as provided in the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, are not subject to the $150,000 limit on annual expenditures.*

(b) Tier two is limited to clients whose service needs include a licensed residential facility and who are authorized to receive a moderate level of support for standard residential habilitation services or a minimal level of support for behavior focus residential habilitation services, or clients in supported living who receive more than 6 hours a day of in-home support services. Total annual expenditures under tier two may not exceed *$53,625* ~~$55,000~~ per client each year.

(c) Tier three includes, but is not limited to, clients requiring residential placements, clients in independent or supported living situations, and clients who live in their family home. Total annual expenditures under tier three may not exceed *$34,125* ~~$35,000~~ per client each year.

(d) Tier four *includes individuals who were enrolled in* ~~is~~ the family and supported living waiver *on July 1, 2007, who shall be assigned to this tier without the assessments required by this section. Tier four also* ~~and~~ includes, but is not limited to, clients in independent or supported living situations and clients who live in their family home. Total annual expenditures under tier four may not exceed *$14,422* $~~14,792~~ per client each year.

(e) The Agency for Health Care Administration shall also seek federal approval to provide a consumer-directed option for persons with developmental disabilities which corresponds to the funding levels in each of the waiver tiers. The agency shall implement the four-tiered waiver system beginning with tiers one, three, and four and followed by tier two. The agency and the Agency for Health Care Administration may adopt rules necessary to administer this subsection.

(f) The agency shall seek federal waivers and amend contracts as necessary to make changes to services defined in federal waiver programs administered by the agency as follows:

1. Supported living coaching services may not exceed 20 hours per month for persons who also receive in-home support services.

2. Limited support coordination services is the only type of support coordination service that may be provided to persons under the age of 18 who live in the family home.

3. Personal care assistance services are limited to 180 hours per calendar month and may not include rate modifiers. Additional hours may be authorized for persons who have intensive physical, medical, or adaptive needs if such hours are essential for avoiding institutionalization.

4. Residential habilitation services are limited to 8 hours per day. Additional hours may be authorized for persons who have intensive medical or adaptive needs and if such hours are essential for avoiding institutionalization, or for persons who possess behavioral problems that are exceptional in intensity, duration, or frequency and present a sub-

stantial risk of harming themselves or others. This restriction shall be in effect until the four-tiered waiver system is fully implemented.

5. Chore services, nonresidential support services, and homemaker services are eliminated. The agency shall expand the definition of in-home support services to allow the service provider to include activities previously provided in these eliminated services.

6. Massage therapy, medication review, and psychological assessment services are eliminated.

7. The agency shall conduct supplemental cost plan reviews to verify the medical necessity of authorized services for plans that have increased by more than 8 percent during either of the 2 preceding fiscal years.

8. The agency shall implement a consolidated residential habilitation rate structure to increase savings to the state through a more cost-effective payment method and establish uniform rates for intensive behavioral residential habilitation services.

9. Pending federal approval, the agency may extend current support plans for clients receiving services under Medicaid waivers for 1 year beginning July 1, 2007, or from the date approved, whichever is later. Clients who have a substantial change in circumstances which threatens their health and safety may be reassessed during this year in order to determine the necessity for a change in their support plan.

10. The agency shall develop a plan to eliminate redundancies and duplications between in-home support services, companion services, personal care services, and supported living coaching by limiting or consolidating such services.

11. The agency shall develop a plan to reduce the intensity and frequency of supported employment services to clients in stable employment situations who have a documented history of at least 3 years' employment with the same company or in the same industry.

Section 2. Section 393.0662, Florida Statutes, is created to read:

393.0662 Individual budgets for delivery of home and community-based services; iBudget system established.—The Legislature finds that improved financial management of the existing home and community-based Medicaid waiver program is necessary to avoid deficits that impede the provision of services to individuals who are on the waiting list for enrollment in the program. The Legislature further finds that clients and their families should have greater flexibility to choose the services that best allow them to live in their community within the limits of an established budget. Therefore, the Legislature intends that the agency, in consultation with the Agency for Health Care Administration, develop and implement a comprehensive redesign of the service delivery system using individual budgets as the basis for allocating the funds appropriated for the home and community-based services Medicaid waiver program among eligible enrolled clients. The service delivery system that uses individual budgets shall be called the iBudget system.

(1) The agency shall establish an individual budget, referred to as an iBudget, for each individual served by the home and community-based services Medicaid waiver program. The funds appropriated to the agency shall be allocated through the iBudget system to eligible, Medicaid-enrolled clients. The iBudget system shall be designed to provide for: enhanced client choice within a specified service package; appropriate assessment strategies; an efficient consumer budgeting and billing process that includes reconciliation and monitoring components; a redefined role for support coordinators that avoids potential conflicts of interest; a flexible and streamlined service review process; and a methodology and process that ensures the equitable allocation of available funds to each client based on the client's level of need, as determined by the variables in the allocation algorithm.

(a) In developing each client's iBudget, the agency shall use an allocation algorithm and methodology. The algorithm shall use variables that have been determined by the agency to have a statistically validated relationship to the client's level of need for services provided through the home and community-based services Medicaid waiver program. The algorithm and methodology may consider individual characteristics, including, but not limited to, a client's age and living situation, information from a formal assessment instrument that the agency determines is valid and reliable, and information from other assessment processes.

(b) The allocation methodology shall provide the algorithm that determines the amount of funds allocated to a client's iBudget. The agency may approve an increase in the amount of funds allocated, as determined by the algorithm, based on the client having one or more of the following needs that cannot be accommodated within the funding as determined by the algorithm and having no other resources, supports, or services available to meet the need:

1. An extraordinary need that would place the health and safety of the client, the client's caregiver, or the public in immediate, serious jeopardy unless the increase is approved. An extraordinary need may include, but is not limited to:

a. A documented history of significant, potentially life-threatening behaviors, such as recent attempts at suicide, arson, nonconsensual sexual behavior, or self-injurious behavior requiring medical attention;

b. A complex medical condition that requires active intervention by a licensed nurse on an ongoing basis that cannot be taught or delegated to a nonlicensed person;

c. A chronic co-morbid condition. As used in this subparagraph, the term "co-morbid condition" means a medical condition existing simultaneously but independently with another medical condition in a patient; or

d. A need for total physical assistance with activities such as eating, bathing, toileting, grooming, and personal hygiene.

However, the presence of an extraordinary need alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

2. A significant need for one-time or temporary support or services that, if not provided, would place the health and safety of the client, the client's caregiver, or the public in serious jeopardy, unless the increase is approved. A significant need may include, but is not limited to, the provision of environmental modifications, durable medical equipment, services to address the temporary loss of support from a caregiver, or special services or treatment for a serious temporary condition when the service or treatment is expected to ameliorate the underlying condition. As used in this subparagraph, the term "temporary" means a period of fewer than 12 continuous months. However, the presence of such significant need for one-time or temporary supports or services alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

3. A significant increase in the need for services after the beginning of the service plan year that would place the health and safety of the client, the client's caregiver, or the public in serious jeopardy because of substantial changes in the client's circumstances, including, but not limited to, permanent or long-term loss or incapacity of a caregiver, loss of services authorized under the state Medicaid plan due to a change in age, or a significant change in medical or functional status which requires the provision of additional services on a permanent or long-term basis that cannot be accommodated within the client's current iBudget. As used in this subparagraph, the term "long-term" means a period of 12 or more continuous months. However, such significant increase in need for services of a permanent or long-term nature alone does not warrant an increase in the amount of funds allocated to a client's iBudget as determined by the algorithm.

The agency shall reserve portions of the appropriation for the home and community-based services Medicaid waiver program for adjustments required pursuant to this paragraph and may use the services of an independent actuary in determining the amount of the portions to be reserved.

(c) A client's iBudget shall be the total of the amount determined by the algorithm and any additional funding provided pursuant to paragraph (b). A client's annual expenditures for home and community-based services Medicaid waiver services may not exceed the limits of his or her iBudget. The total of all clients' projected annual iBudget expenditures may not exceed the agency's appropriation for waiver services.

(2) The Agency for Health Care Administration, in consultation with the agency, shall seek federal approval to amend current waivers, request

a new waiver, and amend contracts as necessary to implement the iBudget system to serve eligible, enrolled clients through the home and community-based services Medicaid waiver program and the Consumer-Directed Care Plus Program.

(3) The agency shall transition all eligible, enrolled clients to the iBudget system. The agency may gradually phase in the iBudget system.

(a) While the agency phases in the iBudget system, the agency may continue to serve eligible, enrolled clients under the four-tiered waiver system established under s. 393.065 while those clients await transitioning to the iBudget system.

(b) The agency shall design the phase-in process to ensure that a client does not experience more than one-half of any expected overall increase or decrease to his or her existing annualized cost plan during the first year that the client is provided an iBudget due solely to the transition to the iBudget system.

(4) A client must use all available services authorized under the state Medicaid plan, school-based services, private insurance and other benefits, and any other resources that may be available to the client before using funds from his or her iBudget to pay for support and services.

(5) The service limitations in s. 393.0661(3)(f)1., 2., and 3. do not apply to the iBudget system.

(6) Rates for any or all services established under rules of the Agency for Health Care Administration shall be designated as the maximum rather than a fixed amount for individuals who receive an iBudget, except for services specifically identified in those rules that the agency determines are not appropriate for negotiation, which may include, but are not limited to, residential habilitation services.

(7) The agency shall ensure that clients and caregivers have access to training and education to inform them about the iBudget system and enhance their ability for self-direction. Such training shall be offered in a variety of formats and at a minimum shall address the policies and processes of the iBudget system; the roles and responsibilities of consumers, caregivers, waiver support coordinators, providers, and the agency; information available to help the client make decisions regarding the iBudget system; and examples of support and resources available in the community.

(8) The agency shall collect data to evaluate the implementation and outcomes of the iBudget system.

(9) The agency and the Agency for Health Care Administration may adopt rules specifying the allocation algorithm and methodology; criteria and processes for clients to access reserved funds for extraordinary needs, temporarily or permanently changed needs, and one-time needs; and processes and requirements for selection and review of services, development of support and cost plans, and management of the iBudget system as needed to administer this section.

Section 3. Subsection (1) of section 393.125, Florida Statutes, is amended to read:

393.125 Hearing rights.—

(1) REVIEW OF AGENCY DECISIONS.—

(a) For Medicaid programs administered by the agency, any developmental services applicant or client, or his or her parent, guardian advocate, or authorized representative, may request a hearing in accordance with federal law and rules applicable to Medicaid cases and has the right to request an administrative hearing pursuant to ss. 120.569 and 120.57. These hearings shall be provided by the Department of Children and Family Services pursuant to s. 409.285 and shall follow procedures consistent with federal law and rules applicable to Medicaid cases.

(b)~~(a)~~ Any *other* developmental services applicant or client, or his or her parent, guardian, guardian advocate, or authorized representative, who has any substantial interest determined by the agency, has the right to request an administrative hearing pursuant to ss. 120.569 and 120.57*, which shall be conducted pursuant to s. 120.57(1), (2), or (3).*

(c)~~(b)~~ Notice of the right to an administrative hearing shall be given, both verbally and in writing, to the applicant or client, and his or her parent, guardian, guardian advocate, or authorized representative, at the same time that the agency gives the applicant or client notice of the agency's action. The notice shall be given, both verbally and in writing, in the language of the client or applicant and in English.

(d)~~(c)~~ A request for a hearing under this section shall be made to the agency, in writing, within 30 days *after* ~~of~~ the applicant's or client's receipt of the notice.

Section 4. *Services for Children with Developmental Disabilities Task Force.—The Services for Children with Developmental Disabilities Task Force is created to make recommendations and develop a plan for the creation of, and enrollment in, the Developmental Disabilities Savings Program.*

(1) The task force shall consist of the following members:

(a) A member of the House of Representatives appointed by the Speaker of the House of Representatives.

(b) A member of the Senate appointed by the President of the Senate.

(c) The director of the Agency for Persons with Disabilities.

(d) The director of the Division of Vocational Rehabilitation.

(e) The executive director of the State Board of Administration.

(f) The Commissioner of Education.

(g) The executive director of The Arc of Florida.

(h) An Arc of Florida family board member appointed by the executive director of The Arc of Florida.

(i) The chair of the Family Care Council Florida.

(j) A parent representative from the Family Care Council Florida appointed by the chair of the Family Care Council Florida.

(2) The Agency for Persons with Disabilities shall provide administrative support to the task force.

(3) Members of the task force shall serve without compensation but are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061, Florida Statutes.

(4) The task force shall submit its recommendations and plan to the President of the Senate and the Speaker of the House of Representatives when it has completed its task or April 2, 2012, whichever occurs first.

(5) The task force shall continue until enrollment in the Developmental Disabilities Savings Program has commenced, at which time the task force is abolished or June 31, 2013, whichever occurs first.

Section 5. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.0661, F.S.; specifying assessment instruments to be used for the delivery of home and community-based Medicaid waiver program services; revising provisions relating to assignment of clients to waiver tiers; providing for tier one, tier two, tier three, and tier four annual expenditure caps; creating s. 393.0662, F.S.; establishing the iBudget program for the delivery of home and community-based services; providing for amendment of current contracts to implement the iBudget system; providing for the phasing in of the program; requiring clients to use certain resources before using funds from their iBudget; requiring the agency to provide training for clients and evaluate and adopt rules with respect to the iBudget system; amending s. 393.125, F.S.; providing for hearings on Medicaid programs administered by the agency; creating the Services for Children with Developmental Disabilities Task Force; requiring the task force to develop recommendations and a plan for the creation of, and enrollment in, the Developmental Disabilities Savings Program; providing for membership of the task force; requiring the Agency for Persons with Disabilities to provide administrative support to the task force; providing for per diem and travel expenses for task force members;

requiring the task force to submit its plan and recommendations to the Legislature; providing for abolishment of the task force; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5303** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gaetz	Peaden
Alexander	Garcia	Ring
Altman	Gardiner	Siplin
Baker	Haridopolos	Smith
Bennett	Hill	Sobel
Bullard	Jones	Storms
Constantine	Joyner	Thrasher
Crist	Justice	Villalobos
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	
Fasano	Oelrich	

Nays—4

Aronberg	Dockery	Gelber
Rich		

The Honorable Jeff Atwater, 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 5305, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5305

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5305, same being:

An act relating to child welfare.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5305, relating to Child Welfare provides for the following:

- The amendment requires child welfare contracting agencies to limit administrative monitoring to once every three years if the contracted provider is accredited by specified accrediting organizations, and mandates the department to limit contract monitoring of a child-caring or child-placing provider to only once per year.

- The amendment authorizes private-sector development and implementation of an Internet-based secure and consolidated data warehouse for maintaining corporate, fiscal and administrative records related to child welfare provider contracts, and requires state agencies that contract with child welfare providers to access records from this database, unless records are outdated or unavailable.

- The amendment authorizes community-based care agencies to roll forward unspent state funds from fiscal year to fiscal year up to a maximum of eight percent of the contract amount, and requires the community-based care agencies to spend these carry-forward funds on nonrecurring activities that have been approved by the Department of Children and Family Services.

- The amendment grants the Department of Children and Family Services authority to outsource program, administrative or fiscal oversight monitoring of community-based agencies and authorizes these agencies to use funding received through contracts for certain expenditures including staff cellular telephone allowances, contracts requiring deferred payments and maintenance agreements, security deposits for office leases, professional fees, costs of promotional materials and grant writing.

- The amendment authorizes the Department of Children and Families to serve dependent children deemed to be in need of family-centered, cognitive-behavioral interventions designed to mitigate out-of-home placements.

- The amendment repeals section 409.1663, Florida Statutes, and amends section 409.166, Florida Statutes, to conform to the total elimination of the funding for adoption benefits for qualifying adopting employees of state agencies in the General Appropriations Act.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment (739737)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (4) through (16) of section 402.302, Florida Statutes, are renumbered as subsections (5) through (17), respectively, and a new subsection (4) is added to that section to read:

402.302 Definitions.—

(4) "Child welfare provider" means a licensed child-caring or child-placing agency.

Section 2. Section 402.7306, Florida Statutes, is created to read:

402.7306 Administrative monitoring for child welfare providers.—The Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, and community-based care lead agencies shall identify and implement changes that improve the efficiency of administrative monitoring of child welfare services. To assist with that goal, each such agency shall adopt the following policies:

(1) Limit administrative monitoring to once every 3 years if the child welfare provider is accredited by the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, or the Council on Accreditation of Children and Family Services. If the accrediting body does not require documentation that the state agency requires, that documentation shall be requested by the state agency and may be posted by the provider on the data warehouse for the agency's review. Notwithstanding the survey or inspection of an accrediting organization specified in this subsection, an agency specified in and subject to this section may continue to monitor the provider as necessary with respect to:

(a) Ensuring that services for which the agency is paying are being provided.

(b) Investigating complaints or suspected problems and monitoring the provider's compliance with any resulting negotiated terms and conditions, including provisions relating to consent decrees that are unique to a specific service and are not statements of general applicability.

(c) Ensuring compliance with federal and state laws, federal regulations, or state rules if such monitoring does not duplicate the accrediting organization's review pursuant to accreditation standards.

Medicaid certification and precertification reviews are exempt from this subsection to ensure Medicaid compliance.

(2) Allow private-sector development and implementation of an Internet-based, secure, and consolidated data warehouse and archive for maintaining corporate, fiscal, and administrative records of child welfare providers. A provider shall ensure that the data is up to date and accessible to the applicable agency under this section and the appropriate agency subcontractor. A provider shall submit any revised, updated information to the data warehouse within 10 business days after receiving the request. An agency that conducts administrative monitoring of child welfare providers under this section must use the data warehouse for document requests. If the information provided to the agency by the provider's data warehouse is not current or is unavailable from the data warehouse and archive, the agency may contact the provider directly. A provider that fails to comply with an agency's requested documents may be subject to a site visit to ensure compliance. Access to the data warehouse must be provided without charge to an applicable agency under this section. At a minimum, the records must include the provider's:

(a) Articles of incorporation.

(b) Bylaws.

(c) Governing board and committee minutes.

(d) Financial audits.

(e) Expenditure reports.

(f) Compliance audits.

(g) Organizational charts.

(h) Governing board membership information.

(i) Human resource policies and procedures.

(j) Staff credentials.

(k) Monitoring procedures, including tools and schedules.

(l) Procurement and contracting policies and procedures.

(m) Monitoring reports.

Section 3. Subsection (4) of section 402.7305, Florida Statutes, is amended to read:

402.7305 Department of Children and Family Services; procurement of contractual services; contract management.—

(4) CONTRACT MONITORING REQUIREMENTS AND PROCESS.—The department shall establish contract monitoring units staffed by career service employees who report to a member of the Selected Exempt Service or Senior Management Service and who have been properly trained to perform contract monitoring. ~~, with~~ At least one member of the contract monitoring unit *must possess* ~~possessing~~ specific knowledge and experience in the contract's program area. The department shall establish a contract monitoring process that *includes* ~~must include~~, but *is* ~~need~~ not be limited to, the following requirements:

(a) Performing a risk assessment at the start of each fiscal year and preparing an annual contract monitoring schedule that *considers* ~~includes consideration for~~ the level of risk assigned. The department may monitor any contract at any time regardless of whether such monitoring was originally included in the annual contract monitoring schedule.

(b) Preparing a contract monitoring plan, including sampling procedures, before performing onsite monitoring at external locations of a service provider. The plan must include a description of the programmatic, fiscal, and administrative components that will be monitored on site. If appropriate, clinical and therapeutic components may be included.

(c) Conducting analyses of the performance and compliance of an external service provider by means of desk reviews if the external service provider will not be monitored on site during a fiscal year.

(d) Unless the department sets forth in writing the need for an extension, providing a written report presenting the results of the monitoring within 30 days after the completion of the onsite monitoring or desk review.

(e) Developing and maintaining a set of procedures describing the contract monitoring process.

Notwithstanding any other provision of this section, the department shall limit monitoring of a child-caring or child-placing services provider under this subsection to only once per year. Such monitoring may not duplicate administrative monitoring that is included in the survey of a child welfare provider conducted by a national accreditation organization specified under s. 402.7306(1).

Section 4. Subsection (10) of section 409.1451, Florida Statutes, is amended to read:

409.1451 Independent living transition services.—

(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 awards.~~ The department shall engage in appropriate planning to prevent, to the extent possible, a reduction in awards after issuance. *The department shall adopt rules to govern the payments and conditions related to payments for services to youth or young adults provided under this section.*

Section 5. *Section 409.1663, Florida Statutes, is repealed.*

Section 6. Subsections (8), (9), (10), and (11) of section 409.1671, Florida Statutes, are renumbered as subsections (10), (14), (15), and (16), respectively, and new subsections (8), (9), (11), (12), and (13) are added to that section to read:

409.1671 Foster care and related services; outsourcing.—

(8) A contract established between the department and a community-based care lead agency under this section must be funded by a grant of general revenue, other applicable state funds, or applicable federal funding sources. A community-based care lead agency may carry forward documented unexpended state funds from one fiscal year to the next; however, the cumulative amount carried forward may not exceed 8 percent of the total contract. Any unexpended state funds in excess of that percentage must be returned to the department. The funds carried forward may not be used in any way that would create increased recurring future obligations, and such funds may not be used for any type of program or service that is not currently authorized by the existing contract with the department. Expenditures of funds carried forward must be separately reported to the department. Any unexpended funds that remain at the end of the contract period shall be returned to the department. Funds carried forward may be retained through any contract renewals and any new procurements as long as the same community-based care lead agency is retained by the department.

(9) The method of payment for a fixed-price contract with a community-based care lead agency shall provide for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter.

(11) Notwithstanding subsection (10), the amount of the annual contract for a community-based care lead agency may be increased by excess federal funds earned in accordance with s. 216.181(11).

(12) The department may outsource programmatic, administrative, or fiscal monitoring oversight of community-based care lead agencies.

(13) Notwithstanding any other provision of law, a community-based care lead agency may make expenditures for staff cellular telephone allowances, contracts requiring deferred payments and maintenance agreements, security deposits for office leases, related agency professional membership dues other than personal professional membership dues, promotional materials, and grant writing services. Expenditures for food and refreshments, other than those provided to clients in the care of the agency or to foster parents, adoptive parents, and caseworkers during training sessions, are not allowable.

Section 7. Paragraph (b) of subsection (2) of section 409.166, Florida Statutes, is amended to read:

409.166 Children within the child welfare system; adoption assistance program.—

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

(b) "Adoption assistance" means financial assistance and services provided to a child and his or her adoptive family. Such assistance may include a maintenance subsidy, medical assistance, Medicaid assistance, and reimbursement of nonrecurring expenses associated with the legal adoption. The term also includes a tuition exemption at a postsecondary career program, community college, or state university~~, and a state employee adoption benefit under s. 409.1663~~.

Section 8. *The Department of Children and Family Services may serve dependent children deemed to be in need of family-centered, cognitive-behavioral interventions designed to mitigate out-of-home placements. Treatment services may be evidenced-based with family therapy and group therapy components for youth for whom these services are appropriate. Dependent youth at risk of out-of-home placement or currently within the foster care system are eligible for these family therapy and group therapy services. The services shall be provided as an alternative to specialized therapeutic foster or group care. A child who has been adjudicated delinquent, had adjudication withheld, or committed any violent crime, except for females adjudicated delinquent for domestic violence, any first-degree felony, or any felony direct-filed in adult court, may not be served by the program. The department and each participating dependency court may jointly develop eligibility criteria to identify youth appropriate for services in this program.*

Section 9. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to child welfare; amending s. 402.302, F.S.; defining the term "child welfare provider;" creating s. 402.7306, F.S.; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, and community-based care lead agencies to adopt policies for the administrative monitoring of child welfare providers; authorizing private-sector entities to establish an Internet-based data warehouse and archive for the maintenance of specified records of child welfare providers; providing agency and provider requirements; providing for access to the data warehouse under certain conditions; amending s. 402.7305, F.S.; providing a limitation on the frequency of monitoring of child-caring and child-placing service providers; prohibiting certain duplicative monitoring; amending s. 409.1451, F.S.; providing the Department of Children and Family Services with rulemaking authority with respect to payments and conditions relating to youth and young adults in the independent living transition services program; repealing s. 409.1663, F.S., relating to adoption benefits for qualifying adoptive employees of state agencies; amending s. 409.1671, F.S.; revising provisions relating to funding for contracts established between the Department of Children and Family Services and community-based care lead agencies; authorizing the department to outsource certain functions; authorizing a community-based care lead agency to make certain expenditures; amending s. 409.166, F.S.; deleting a reference to conform to changes made by the act; authorizing the Department of Children and Family Services to provide services to certain dependent children; providing exceptions; authorizing the department and the participating dependency court to develop eligibility criteria; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5305** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, 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 5307, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5307

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5307, same being:

An act relating to mental health and substance abuse.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5307, relating to Mental Health and Substance Abuse makes statutory changes to conform to the funding decisions included in the General Appropriations Act for Fiscal Year 2010-2011. Specifically, the amendment:

- Eliminates the Substance Abuse and Mental Health Corporation and provides conforming changes to various sections in statute.

- Changes the Suicide Prevention Coordinating Council voting members from 28 to 27 and reduces the number of members appointed by the director of the Office of Drug Control from 14 members to 13 members.

- Requires the Department of Children and Family Services to be responsible for establishing a Statewide Grant Review Committee, which is renamed the "Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee" along with revising the current committee structure and its responsibilities relating to developing criteria and review of grant applications.

- Clarifies the submittal of an annual report by January 1 of each year on the activities associated with the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment (332243)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *Section 394.655, Florida Statutes, is repealed.*

Section 2. Paragraph (a) of subsection (2) of section 14.20195, Florida Statutes, is amended to read:

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.—There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(2) MEMBERSHIP.—The Suicide Prevention Coordinating Council shall consist of *27* ~~28~~ voting members.

(a) *Thirteen* ~~Fourteen~~ members shall be appointed by the director of the Office of Drug Control and shall represent the following organizations:

~~1. The Substance Abuse and Mental Health Corporation described in s. 394.655.~~

1.~~2.~~ The Florida Association of School Psychologists.

2.~~3.~~ The Florida Sheriffs Association.

3.~~4.~~ The Suicide Prevention Action Network USA.

4.~~5.~~ The Florida Initiative of Suicide Prevention.

5.~~6.~~ The Florida Suicide Prevention Coalition.

6.~~7.~~ The Alzheimer's Association.

7.~~8.~~ The Florida School Board Association.

8.~~9.~~ Volunteer Florida.

9.~~10.~~ The state chapter of AARP.

10.~~11.~~ The Florida Alcohol and Drug Abuse Association.

11.~~12.~~ The Florida Council for Community Mental Health.

12.~~13.~~ The Florida Counseling Association.

13.~~14.~~ NAMI Florida.

Section 3. Subsection (2) of section 394.656, Florida Statutes, is amended to read:

394.656 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.—

(2) The *department* ~~Florida Substance Abuse and Mental Health Corporation, Inc., created in s. 394.655,~~ shall establish a *Criminal Justice, Mental Health, and Substance Abuse* Statewide Grant Review Committee. The committee shall include:

~~(a) Five current members or appointees of the corporation;~~

(a)~~(b)~~ One representative of the Department of Children and Family Services;

(b)~~(c)~~ One representative of the Department of Corrections;

(c)~~(d)~~ One representative of the Department of Juvenile Justice;

(d)~~(e)~~ One representative of the Department of Elderly Affairs; and

(e)~~(f)~~ One representative of the Office of the State Courts Administrator.

To the extent possible, the members of the committee shall have expertise in grant writing, grant reviewing, and grant application scoring.

Section 4. Subsection (1) of section 394.657, Florida Statutes, is amended to read:

394.657 County planning councils or committees.—

(1) Each board of county commissioners shall designate the county public safety coordinating council established under s. 951.26, or designate another criminal or juvenile justice mental health and substance abuse council or committee, as the planning council or committee. The

public safety coordinating council or other designated criminal or juvenile justice mental health and substance abuse council or committee, in coordination with the county offices of planning and budget, shall make a formal recommendation to the board of county commissioners regarding how the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program may best be implemented within a community. The board of county commissioners may assign any entity to prepare the application on behalf of the county administration for submission to the *Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee* ~~corporation~~ for review. A county may join with one or more counties to form a consortium and use a regional public safety coordinating council or another county-designated regional criminal or juvenile justice mental health and substance abuse planning council or committee for the geographic area represented by the member counties.

Section 5. Subsection (1) of section 394.658, Florida Statutes, is amended to read:

394.658 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program requirements.—

(1) The *Criminal Justice, Mental Health, and* Substance Abuse ~~and Mental Health Corporation~~ Statewide Grant Review Committee, in collaboration with the Department of Children and Family Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Elderly Affairs, and the Office of the State Courts Administrator, shall establish criteria to be used ~~by the corporation~~ to review submitted applications and to select the county that will be awarded a 1-year planning grant or a 3-year implementation or expansion grant. A planning, implementation, or expansion grant may not be awarded unless the application of the county meets the established criteria.

(a) The application criteria for a 1-year planning grant must include a requirement that the applicant county or counties have a strategic plan to initiate systemic change to identify and treat individuals who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders who are in, or at risk of entering, the criminal or juvenile justice systems. The 1-year planning grant must be used to develop effective collaboration efforts among participants in affected governmental agencies, including the criminal, juvenile, and civil justice systems, mental health and substance abuse treatment service providers, transportation programs, and housing assistance programs. The collaboration efforts shall be the basis for developing a problem-solving model and strategic plan for treating adults and juveniles who are in, or at risk of entering, the criminal or juvenile justice system and doing so at the earliest point of contact, taking into consideration public safety. The planning grant shall include strategies to divert individuals from judicial commitment to community-based service programs offered by the Department of Children and Family Services in accordance with ss. 916.13 and 916.17.

(b) The application criteria for a 3-year implementation or expansion grant shall require information from a county that demonstrates its completion of a well-established collaboration plan that includes public-private partnership models and the application of evidence-based practices. The implementation or expansion grants may support programs and diversion initiatives that include, but need not be limited to:

1. Mental health courts;

2. Diversion programs;

3. Alternative prosecution and sentencing programs;

4. Crisis intervention teams;

5. Treatment accountability services;

6. Specialized training for criminal justice, juvenile justice, and treatment services professionals;

7. Service delivery of collateral services such as housing, transitional housing, and supported employment; and

8. Reentry services to create or expand mental health and substance abuse services and supports for affected persons.

(c) Each county application must include the following information:

1. An analysis of the current population of the jail and juvenile detention center in the county, which includes:

a. The screening and assessment process that the county uses to identify an adult or juvenile who has a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders;

b. The percentage of each category of persons admitted to the jail and juvenile detention center that represents people who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders; and

c. An analysis of observed contributing factors that affect population trends in the county jail and juvenile detention center.

2. A description of the strategies the county intends to use to serve one or more clearly defined subsets of the population of the jail and juvenile detention center who have a mental illness or to serve those at risk of arrest and incarceration. The proposed strategies may include identifying the population designated to receive the new interventions, a description of the services and supervision methods to be applied to that population, and the goals and measurable objectives of the new interventions. The interventions a county may use with the target population may include, but are not limited to:

a. Specialized responses by law enforcement agencies;

b. Centralized receiving facilities for individuals evidencing behavioral difficulties;

c. Postbooking alternatives to incarceration;

d. New court programs, including pretrial services and specialized dockets;

e. Specialized diversion programs;

f. Intensified transition services that are directed to the designated populations while they are in jail or juvenile detention to facilitate their transition to the community;

g. Specialized probation processes;

h. Day-reporting centers;

i. Linkages to community-based, evidence-based treatment programs for adults and juveniles who have mental illness or substance abuse disorders; and

j. Community services and programs designed to prevent high-risk populations from becoming involved in the criminal or juvenile justice system.

3. The projected effect the proposed initiatives will have on the population and the budget of the jail and juvenile detention center. The information must include:

a. The county's estimate of how the initiative will reduce the expenditures associated with the incarceration of adults and the detention of juveniles who have a mental illness;

b. The methodology that the county intends to use to measure the defined outcomes and the corresponding savings or averted costs;

c. The county's estimate of how the cost savings or averted costs will sustain or expand the mental health and substance abuse treatment services and supports needed in the community; and

d. How the county's proposed initiative will reduce the number of individuals judicially committed to a state mental health treatment facility.

4. The proposed strategies that the county intends to use to preserve and enhance its community mental health and substance abuse system, which serves as the local behavioral health safety net for low-income and uninsured individuals.

5. The proposed strategies that the county intends to use to continue the implemented or expanded programs and initiatives that have resulted from the grant funding.

Section 6. Subsection (2) of section 394.659, Florida Statutes, is amended to read:

394.659 Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center.—

(2) The ~~Substance Abuse and Mental Health Corporation and the~~ Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center shall submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1 of each year~~, beginning on January 1, 2009~~. The report must include:

(a) A detailed description of the progress made by each grantee in meeting the goals described in the application;

(b) A description of the effect the grant-funded initiatives have had on meeting the needs of adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders, thereby reducing the number of forensic commitments to state mental health treatment facilities;

(c) A summary of the effect of the grant program on the growth and expenditures of the jail, juvenile detention center, and prison;

(d) A summary of the initiative's effect on the availability and accessibility of effective community-based mental health and substance abuse treatment services for adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders. The summary must describe how the expanded community diversion alternatives have reduced incarceration and commitments to state mental health treatment facilities; and

(e) A summary of how the local matching funds provided by the county or consortium of counties leveraged additional funding to further the goals of the grant program.

Section 7. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to mental health and substance abuse; repealing s. 394.655, F.S., relating to the establishment of the Substance Abuse and Mental Health Corporation; amending ss. 14.20195, 394.656, 394.657, 394.658, and 394.659, F.S.; conforming references to changes made by the act; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5307** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, 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 5309, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5309

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5309, same being:

An act relating to comprehensive statewide tobacco education and use prevention program.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5309, relating to Statewide Tobacco Education and Use Prevention Program:

- Revises the comprehensive, statewide tobacco education and use prevention program counter-marketing and advertising campaign to include innovative communication strategies, such as targeting specific audiences who use personal communication devices and frequent social networking websites.

- Changes the term "smoking cessation" to "tobacco-use" throughout the bill.

- Limits the administration and management costs to administer the program to no more than 5 percent.

- Deletes obsolete language related to the Area Health Education Centers.

- The bill has an effective date of July 1, 2010.

Conference Committee Amendment (986623)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (3), paragraph (a) of subsection (4), and subsections (6) and (9) of section 381.84, Florida Statutes, are amended to read:

381.84 Comprehensive Statewide Tobacco Education and Use Prevention Program.—

(3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department shall conduct a comprehensive, statewide tobacco education and use prevention program consistent with the recommendations for effective program components contained in the 1999 Best Practices for Comprehensive Tobacco Control Programs of the CDC, as amended by the CDC. The program shall include the following components, each of which shall focus on educating people, particularly youth and their parents, about the health hazards of tobacco and discouraging the use of tobacco:

(a) Counter-marketing and advertising; *Internet* ~~cyberspace~~ resource center.—The counter-marketing and advertising campaign shall include, at a minimum, Internet, print, radio, and television advertising and shall be funded with a minimum of one-third of the total annual appropriation required by s. 27, Art. X of the State Constitution.

1. The campaign shall include an Internet ~~A cyberspace~~ resource center for copyrighted materials and information concerning tobacco education and use prevention, including cessation~~, shall be maintained by the program~~. *The Internet* ~~Such~~ resource center must be accessible to the public, including parents, teachers, and students, at each level of public and private schools, universities, and colleges in the state and shall provide links to other relevant resources. The Internet address for the resource center must be incorporated in all advertising. The information maintained in the resource center shall be used by the other components of the program.

2. The campaign shall use innovative communication strategies, such as targeting specific audiences who use personal communication devices and frequent social networking websites.

(b) Cessation programs, counseling, and treatment.—This program component shall include two subcomponents:

1. A statewide toll-free cessation service, which may include counseling, referrals to other local resources and support services, and treatment to the extent funds are available for treatment services; and

2. A local community-based program to disseminate information about *tobacco-use* ~~smoking~~ cessation, how *tobacco-use* ~~smoking~~ cessation relates to prenatal care and obesity prevention, and other chronic tobacco-related diseases.

(c) Surveillance and evaluation.—The program shall conduct ongoing epidemiological surveillance and shall contract for annual independent evaluations of the effectiveness of the various components of the program in meeting the goals as set forth in subsection (2).

(d) Youth school programs.—School and after-school programs shall use current evidence-based curricula and programs that involve youth to educate youth about the health hazards of tobacco, help youth develop skills to refuse tobacco, and demonstrate to youth how to stop using tobacco.

(e) Community programs and chronic disease prevention.—The department shall promote and support local community-based partnerships that emphasize programs involving youth, including programs for the prevention, detection, and early intervention of *tobacco-related* ~~smoking related~~ chronic diseases.

(f) Training.—The program shall include the training of health care practitioners, *tobacco-use cessation* ~~smoking cessation~~ counselors, and teachers by health professional students and other tobacco-use prevention specialists who are trained in preventing tobacco use and health education. *Tobacco-use cessation* ~~Smoking cessation~~ counselors shall be trained by specialists who are certified in tobacco-use cessation.

(g) Administration *and management*, statewide programs, and county health departments.—*The department shall administer the program within the expenditure limit established in subsection (8).* Each county health department is eligible to receive a portion of the annual appropriation, on a per capita basis, for coordinating tobacco education and use prevention programs within that county. Appropriated funds may be used to improve the infrastructure of the county health department to implement the comprehensive, statewide tobacco education and use prevention program. Each county health department shall prominently display in all treatment rooms and waiting rooms~~,~~ counter-marketing and advertisement materials in the form of wall posters, brochures, television advertising if televisions are used in the lobby or waiting room, and screensavers and Internet advertising if computer kiosks are available for use or viewing by people at the county health department.

(h) Enforcement and awareness of related laws.—In coordination with the Department of Business and Professional Regulation, the program shall monitor the enforcement of laws, rules, and policies prohibiting the sale or other provision of tobacco to minors, as well as the continued enforcement of the Clean Indoor Air Act prescribed in chapter 386. The advertisements produced in accordance with paragraph (a) may also include information designed to make the public aware of these related laws and rules. The departments may enter into interagency agreements to carry out this program component.

(i) AHEC *tobacco-use cessation* ~~smoking cessation~~ initiative.~~ For the 2009-2010 fiscal year,~~ The AHEC network *may administer* ~~shall expand~~ the AHEC *tobacco-use cessation* ~~smoking cessation~~ initiative *in* ~~to~~ each county within the state and perform other activities as determined by the department.

(4) ADVISORY COUNCIL; MEMBERS, APPOINTMENTS, AND MEETINGS.—The Tobacco Education and Use Prevention Advisory Council is created within the department.

(a) The council shall consist of 23 members, including:

1. The State Surgeon General, who shall serve as the chairperson.

2. One county health department director, appointed by the State Surgeon General.

3. Two members appointed by the Commissioner of Education, of whom one must be a school district superintendent.

4. The chief executive officer of the Florida Division of the American Cancer Society, or his or her designee.

5. The chief executive officer of the Greater Southeast Affiliate of the American Heart Association, or his or her designee.

6. The chief executive officer of the American Lung Association of Florida, or his or her designee.

7. The dean of the University of Miami School of Medicine, or his or her designee.

8. The dean of the University of Florida College of Medicine, or his or her designee.

9. The dean of the University of South Florida College of Medicine, or his or her designee.

10. The dean of the Florida State University College of Medicine, or his or her designee.

11. The dean of Nova Southeastern College of Osteopathic Medicine, or his or her designee.

12. The dean of the Lake Erie College of Osteopathic Medicine in Bradenton, Florida, or his or her designee.

13. The chief executive officer of the Campaign for Tobacco Free Kids, or his or her designee.

14. The chief executive officer of the Legacy Foundation, or his or her designee.

15. Four members appointed by the Governor, of whom two must have expertise in the field of tobacco-use prevention and education or *tobacco-use* ~~smoking~~ cessation and one individual who shall be between the ages of 16 and 21 at the time of his or her appointment.

16. Two members appointed by the President of the Senate, of whom one must have expertise in the field of tobacco-use prevention and education or *tobacco-use* ~~smoking~~ cessation.

17. Two members appointed by the Speaker of the House of Representatives, of whom one must have expertise in the field of tobacco-use prevention and education or *tobacco-use* ~~smoking~~ cessation.

(6) CONTRACT REQUIREMENTS.—Contracts or grants for the program components or subcomponents described in paragraphs (3)(a)-(f) shall be awarded by the State Surgeon General, after consultation with the council, on the basis of merit, as determined by an open, competitive, peer-reviewed process that ensures objectivity, consistency, and high quality. The department shall award such grants or contracts no later than October 1 for each fiscal year. A recipient of a contract or grant for the program component described in paragraph (3)(c) is not eligible for a contract or grant award for any other program component described in subsection (3) in the same state fiscal year. A school or college of medicine that is represented on the council is not eligible to receive a contract or grant under this section. ~~For the 2009-2010 fiscal year only,~~ The department shall award a contract or grant in the amount of $10 million to the AHEC network for the purpose of developing the components described in paragraph (3)(i). The AHEC network may apply for ~~a~~ competitive *contracts or grants* ~~contract or grant after the 2009-2010 fiscal year~~.

(a) In order to ensure that all proposals for funding are appropriate and are evaluated fairly on the basis of merit, the State Surgeon General, in consultation with the council, shall appoint a peer review panel of independent, qualified experts in the field of tobacco control to review the content of each proposal and establish its priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals will be recommended for funding.

(b) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(c) In each contract or grant agreement, the department shall limit the use of food and promotional items to no more than 2.5 percent of the total amount of the contract or grant and limit overhead or indirect costs to no more than 7.5 percent of the total amount of the contract or grant. The department, in consultation with the Department of Financial Services, shall publish guidelines for appropriate food and promotional items.

(d) In each advertising contract, the department shall limit the total of production fees, buyer commissions, and related costs to no more than 10 percent of the total contract amount.

(e) Notwithstanding the competitive process for contracts prescribed in this subsection, each county health department is eligible for core funding, on a per capita basis, to implement tobacco education and use prevention activities within that county.

(8) LIMITATION ON ADMINISTRATIVE EXPENSES.—From the total funds appropriated for the Comprehensive Statewide Tobacco Education and Use Prevention Program in the General Appropriations Act, an amount of up to 5 percent may be used by the department for administrative expenses.

(9) RULEMAKING AUTHORIZED.~~ By January 1, 2008,~~ The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 2. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; amending s. 381.84, F.S.; providing for the countermarketing and advertising campaign to include innovative communication strategies; revising terminology; providing requirements for administration and management of the program by the Department of Health; specifying purpose of certain funds distributed under the program; revising the area health education center network program component functions and requirements; deleting obsolete language; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5309** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, 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 5311, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5311

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5311, same being:

An act relating to the Department of Health.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5311, relating to the Department of Health:

- Revises provisions for administration and use of funds in the Administrative Trust Fund and the Emergency Medical Services Trust Fund within the Department of Health (DOH), providing that funds collected from disposition of certain motor vehicle infractions shall be deposited into the Emergency Medical Services Trust Fund and removing provisions for the deposit of such funds into the Administrative Trust Fund.

- Corrects references to the title of the Brain and Spinal Cord Injury Program Trust Fund.

- Reenacts the James and Esther King Biomedical Research Program and allows for an appropriation of $20 million from funds deposited into the Health Care Trust Fund from tobacco surcharge revenues.

- Reenacts the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program and allows for an appropriation of $20 million from funds deposited into the Health Care Trust Fund from tobacco surcharge revenues.

- Provides an appropriation of $10 million for the H. Lee Moffitt Cancer Center in section 1004.43, Florida Statutes.

- Provides an additional appropriation of $250,000 for the Florida Center for Universal Research to Eradicate Disease such that its total annual appropriation is $500,000.

- Provides direction to the DOH related to organizational changes, requires a comprehensive DOH evaluation and justification review, and establishes the following program limitations:

  - Removes the authority for the DOH division directors to appoint ad hoc advisory committees.

  - Prohibits the DOH from creating new programs without the express consent of the Legislative Budget Commission or the Legislature.

  - Requires the DOH to notify the Governor and the Legislature before applying for any continuation or new federal or private grants for an amount of $50,000 or greater.

  - Identifies the role of the DOH in an emergency by listing its specific responsibilities.

  - Decreases the DOH's environmental health food service responsibilities over facilities that are licensed and inspected by other agencies.

  - Specifies the types of entities having food service inspections administered by the DOH.

  - Repeals the Children's Early Investment Program which has not been operational for many years. (sections 411.23, 411.231, and 411.232, Florida Statutes).

  - Exempts medical device manufacturers that are registered by the Federal Drug Administration from regulation by the DOH to eliminate duplicative regulation.

  - Provides a definition for a "medical convenience kit" and exempts the wholesale distribution of medical convenience kits that contain prescription drugs from the pedigree paper requirements in certain circumstances.

  - Requires the DOH to develop a plan to treat contagious Tuberculocis in private and nonstate public hospitals. The DOH must submit the plan to the Governor and Legislature by November 1, 2010.

  - Requires the DOH to submit a report to the Legislature by January 1, 2011, that includes a rationale for each of its divisions, the return on investment for each division, and federal funding associated with each division.

  - Transfers the administration of chapter 499, Florida Statutes, relating to the regulation of drugs, devices, cosmetics, and household products, from the DOH to the Department of Business and Professional Regulation on October 1, 2011.

- Modifies the section of law that establishes responsibility for physician workforce development; creates a Physician Workforce Advisory Council.

- Authorizes the Board of Medicine and Board of Osteopathic Medicine, to issue a temporary certificate in areas of critical need under certain circumstances.

- Allows any city, county, or other entity designated in a state emergency management plan under section 252.35 (2) (a), Florida Statutes, during a public health emergency to deposit funds into the DOH Grants and Donations Trust Fund for the department to purchase necessary licensable products made available under the United States Department of Health and Human Services contract on behalf of any city, county or public entity in Florida.

- Allows the DOH to submit budget amendments requesting additional Grants and Donations Trust Fund budget authority for the Florida Center for Nursing to make expenditures supported by grants and donations.

- Unless expressly indicated within this section the bill has an effective date of July 1, 2010.

Conference Committee Amendment (476241)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) and paragraph (a) of subsection (14) of section 20.435, Florida Statutes, are amended to read:

20.435 Department of Health; trust funds.—The following trust funds shall be administered by the Department of Health:

(1) Administrative Trust Fund.

(a) Funds to be credited to *and uses of* the trust fund shall *be administered in accordance with s. 215.32* ~~consist of regulatory fees such as those pertaining to the licensing, permitting, and inspection of septic tanks, food hygiene, onsite sewage, Superfund compliance, solid waste management, tanning facilities, mobile home and recreational vehicle park inspection, other departmental regulatory and health care programs, and indirect earnings from grants. Funds shall be used for the purpose of supporting the regulatory activities of the department and for other such purposes as may be appropriate and shall be expended only pursuant to legislative appropriation or an approved amendment to the department's operating budget pursuant to the provisions of chapter 216.~~

(14) Emergency Medical Services Trust Fund.

(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with *ss. 318.14, 318.18, 318.21, 395.403, and 395.4036 and* ~~the provisions of~~ parts I and II of chapter 401.

Section 2. Subsection (5) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(5) Any person electing to appear before the designated official or who is required so to appear shall be deemed to have waived his or her right to the civil penalty provisions of s. 318.18. The official, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the official may impose a civil penalty not to exceed $500, except that in cases involving unlawful speed in a school zone or involving unlawful speed in a construction zone, the civil penalty may not exceed $1,000; or require attendance at a driver improvement school, or both. If the person is required to appear before the designated official pursuant to s. 318.19(1) and is found to have committed the infraction, the designated official shall impose a civil penalty of $1,000 in addition to any other penalties and the person's driver's license shall be suspended for 6 months. If the person is required to appear before the designated official pursuant to s. 318.19(2) and is found to have committed the infraction, the designated official shall impose a civil penalty of $500 in addition to any other penalties and the person's driver's license shall be suspended for 3 months. If the official determines that no infraction has been committed, no costs or penalties shall be imposed and any costs or penalties that have been paid shall be returned. Moneys received from the mandatory civil penalties imposed pursuant to this subsection upon persons required to appear before a designated official pursuant to s. 318.19(1) or (2) shall be remitted to the Department of Revenue and deposited into the Department of Health *Emergency Medical Services* ~~Administrative~~ Trust Fund to provide financial support to certified trauma centers to assure the availability and accessibility of trauma services throughout the state. Funds deposited into the *Emergency Medical Services* ~~Administrative~~ Trust Fund under this section shall be allocated as follows:

(a) Fifty percent shall be allocated equally among all Level I, Level II, and pediatric trauma centers in recognition of readiness costs for maintaining trauma services.

(b) Fifty percent shall be allocated among Level I, Level II, and pediatric trauma centers based on each center's relative volume of trauma cases as reported in the Department of Health Trauma Registry.

Section 3. Paragraph (h) of subsection (3), paragraph (c) of subsection (5), and subsection (20) of section 318.18, Florida Statutes, are amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(3)

(h) A person cited for a second or subsequent conviction of speed exceeding the limit by 30 miles per hour and above within a 12-month period shall pay a fine that is double the amount listed in paragraph (b). For purposes of this paragraph, the term "conviction" means a finding of guilt as a result of a jury verdict, nonjury trial, or entry of a plea of guilty. Moneys received from the increased fine imposed by this paragraph shall be remitted to the Department of Revenue and deposited into the Department of Health *Emergency Medical Services* ~~Administrative~~ Trust Fund to provide financial support to certified trauma centers to assure the availability and accessibility of trauma services throughout the state. Funds deposited into the *Emergency Medical Services* ~~Administrative~~ Trust Fund under this section shall be allocated as follows:

1. Fifty percent shall be allocated equally among all Level I, Level II, and pediatric trauma centers in recognition of readiness costs for maintaining trauma services.

2. Fifty percent shall be allocated among Level I, Level II, and pediatric trauma centers based on each center's relative volume of trauma cases as reported in the Department of Health Trauma Registry.

(5)

(c) In addition to the penalty under paragraph (a) or paragraph (b), $65 for a violation of s. 316.172(1)(a) or (b). If the alleged offender is found to have committed the offense, the court shall impose the civil penalty under paragraph (a) or paragraph (b) plus an additional $65. The additional $65 collected under this paragraph shall be remitted to the Department of Revenue for deposit into the *Emergency Medical Services* ~~Administrative~~ Trust Fund of the Department of Health to be used as provided in s. 395.4036.

(20) In addition to any other penalty, $65 for a violation of s. 316.191, prohibiting racing on highways, or s. 316.192, prohibiting reckless driving. The additional $65 collected under this subsection shall be remitted to the Department of Revenue for deposit into the *Emergency Medical Services* ~~Administrative~~ Trust Fund of the Department of Health to be used as provided in s. 395.4036.

Section 4. Paragraph (d) of subsection (2) and subsection (15) of section 318.21, Florida Statutes, are amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(2) Of the remainder:

(d) Eight and two-tenths percent shall be remitted to the Department of Revenue for deposit in the Brain and Spinal Cord Injury *Program* ~~Rehabilitation~~ Trust Fund for the purposes set forth in s. 381.79.

(15) Of the additional fine assessed under s. 318.18(3)(e) for a violation of s. 316.1893, 50 percent of the moneys received from the fines shall be appropriated to the Agency for Health Care Administration as general revenue to provide an enhanced Medicaid payment to nursing homes that serve Medicaid recipients with brain and spinal cord injuries. The remaining 50 percent of the moneys received from the enhanced fine imposed under s. 318.18(3)(e) shall be remitted to the Department of Revenue and deposited into the Department of Health *Emergency Medical Services* ~~Administrative~~ Trust Fund to provide financial support to certified trauma centers in the counties where enhanced penalty zones are established to ensure the availability and accessibility of trauma services. Funds deposited into the *Emergency Medical Services* ~~Administrative~~ Trust Fund under this subsection shall be allocated as follows:

(a) Fifty percent shall be allocated equally among all Level I, Level II, and pediatric trauma centers in recognition of readiness costs for maintaining trauma services.

(b) Fifty percent shall be allocated among Level I, Level II, and pediatric trauma centers based on each center's relative volume of trauma cases as reported in the Department of Health Trauma Registry.

Section 5. Subsection (2) of section 320.131, Florida Statutes, is amended to read:

320.131 Temporary tags.—

(2) The department is authorized to sell temporary tags, in addition to those listed above, to their agents and where need is demonstrated by a consumer complainant. The fee shall be $2 each. One dollar from each tag sold shall be deposited into the Brain and Spinal Cord Injury *Program* ~~Rehabilitation~~ Trust Fund, with the remaining proceeds being deposited into the Highway Safety Operating Trust Fund. Agents of the department shall sell temporary tags for $2 each and shall charge the service charge authorized by s. 320.04 per transaction, regardless of the quantity sold. Requests for purchase of temporary tags to the department or its agents shall be made, where applicable, on letterhead stationery and notarized. Except as specifically provided otherwise, a temporary tag shall be valid for 30 days, and no more than two shall be issued to the same person for the same vehicle.

Section 6. Subsection (9) of section 327.35, Florida Statutes, is amended to read:

327.35 Boating under the influence; penalties; "designated drivers."—

(9) Notwithstanding any other provision of this section, for any person convicted of a violation of subsection (1), in addition to the fines set forth in subsections (2) and (4), an additional fine of $60 shall be assessed and collected in the same manner as the fines set forth in subsections (2) and (4). All fines collected under this subsection shall be remitted by the clerk of the court to the Department of Revenue for deposit into the Brain and Spinal Cord Injury *Program* ~~Rehabilitation~~ Trust Fund and used for the purposes set forth in s. 381.79, after 5 percent is deducted therefrom by the clerk of the court for administrative costs.

Section 7. Subsection (2) of section 381.765, Florida Statutes, is amended to read:

381.765 Retention of title to and disposal of equipment.—

(2) The department may offer for sale any surplus items acquired in operating the brain and spinal cord injury program when they are no longer necessary or exchange them for necessary items that may be used to greater advantage. When any such surplus equipment is sold or exchanged, a receipt for the equipment shall be taken from the purchaser showing the consideration given for such equipment and forwarded to the Chief Financial Officer, and any funds received by the brain and spinal cord injury program pursuant to any such transaction shall be deposited in the Brain and Spinal Cord Injury *Program* ~~Rehabilitation~~ Trust Fund and shall be available for expenditure for any purpose consistent with *ss. 381.739-381.79* ~~this part~~.

Section 8. Subsection (7) of section 381.78, Florida Statutes, is amended to read:

381.78 Advisory council on brain and spinal cord injuries.—

(7) A member of the advisory council may be removed from office by the State Surgeon General for malfeasance, misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties or for pleading nolo contendere to, or being found guilty of, a crime. Malfeasance includes, but is not limited to, a violation of any specific prohibition within *ss. 381.739-381.79* ~~this part~~.

Section 9. Subsection (6) of section 381.79, Florida Statutes, is amended to read:

381.79 Brain and Spinal Cord Injury Program Trust Fund.—

(6) The department may accept, deposit into the trust fund, and use for carrying out the purposes of *ss. 381.739-381.79* ~~this part~~ gifts made unconditionally by will or otherwise. Any gift made under conditions that, in the judgment of the department, are proper and consistent with this section, the laws of the United States, and the laws of this state may be accepted and shall be held, invested, reinvested, and used in accordance with the conditions of the gift.

Section 10. Subsections (1) and (2) of section 395.403, Florida Statutes, are amended to read:

395.403 Reimbursement of trauma centers.—

(1) All ~~provisional trauma centers and~~ trauma centers shall be considered eligible to receive state funding when state funds are specifically appropriated for state-sponsored trauma centers in the General Appropriations Act. Effective July 1, *2010* ~~2004~~, the department shall make ~~one-time~~ payments from the *Emergency Medical Services* ~~Administrative~~ Trust Fund under s. 20.435 to the trauma centers ~~and a hospital with a pending application for a Level I trauma center in recognition of the capital investment made by the hospital to establish the trauma service~~. Payments shall be in equal amounts for the trauma centers approved by the department as of July 1 of the fiscal year in which funding is appropriated~~, with lesser amounts for the hospital with an application pending for a Level I trauma center at the department as of April 1, 2004~~. In the event a trauma center does not maintain its status as a trauma center for any state fiscal year in which such funding is appropriated, the ~~provisional trauma center or~~ trauma center shall repay the state for the portion of the year during which it was not a trauma center.

(2) ~~Provisional trauma centers and~~ Trauma centers eligible to receive distributions from the *Emergency Medical Services* ~~Administrative~~ Trust Fund under s. 20.435 in accordance with subsection (1) may request that such funds be used as intergovernmental transfer funds in the Medicaid program.

Section 11. Subsections (1) and (2) of section 395.4036, Florida Statutes, are amended to read:

395.4036 Trauma payments.—

(1) Recognizing the Legislature's stated intent to provide financial support to the current verified trauma centers and to provide incentives for the establishment of additional trauma centers as part of a system of state-sponsored trauma centers, the department shall utilize funds collected under s. 318.18 and deposited into the *Emergency Medical Services* ~~Administrative~~ Trust Fund of the department to ensure the availability and accessibility of trauma services throughout the state as provided in this subsection.

(a) Funds collected under s. 318.18(15) shall be distributed as follows:

1. Twenty percent of the total funds collected during the state fiscal year shall be distributed to verified trauma centers that have a local funding contribution as of December 31. Distribution of funds under this subparagraph shall be based on trauma caseload volume for the most recent calendar year available.

2. Forty percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the department's Trauma Registry data.

3. Forty percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

(b) Funds collected under s. 318.18(5)(c) and (19) shall be distributed as follows:

1. Thirty percent of the total funds collected shall be distributed to Level II trauma centers operated by a public hospital governed by an elected board of directors as of December 31, 2008.

2. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on trauma caseload volume for the most recent calendar year available. The determination of caseload volume for distribution of funds under this subparagraph shall be based on the department's Trauma Registry data.

3. Thirty-five percent of the total funds collected shall be distributed to verified trauma centers based on severity of trauma patients for the most recent calendar year available. The determination of severity for distribution of funds under this subparagraph shall be based on the department's International Classification Injury Severity Scores or another statistically valid and scientifically accepted method of stratifying a trauma patient's severity of injury, risk of mortality, and resource consumption as adopted by the department by rule, weighted based on the costs associated with and incurred by the trauma center in treating trauma patients. The weighting of scores shall be established by the department by rule.

(2) Funds deposited in the department's *Emergency Medical Services* ~~Administrative~~ Trust Fund for verified trauma centers may be used to maximize the receipt of federal funds that may be available for such trauma centers. Notwithstanding this section and s. 318.14, distributions to trauma centers may be adjusted in a manner to ensure that total payments to trauma centers represent the same proportional allocation as set forth in this section and s. 318.14. For purposes of this section and s. 318.14, total funds distributed to trauma centers may include revenue from the *Emergency Medical Services* ~~Administrative~~ Trust Fund and federal funds for which revenue from the Administrative Trust Fund is used to meet state or local matching requirements. Funds collected under ss. 318.14 and 318.18 and deposited in the *Emergency Medical Services* ~~Administrative~~ Trust Fund of the department shall be distributed to trauma centers on a quarterly basis using the most recent calendar year data available. Such data shall not be used for more than four quarterly distributions unless there are extenuating circumstances as determined by the department, in which case the most recent calendar year data available shall continue to be used and appropriate adjustments shall be made as soon as the more recent data becomes available.

Section 12. Section 938.07, Florida Statutes, is amended to read:

938.07 Driving or boating under the influence.—Notwithstanding any other provision of s. 316.193 or s. 327.35, a court cost of $135 shall be added to any fine imposed pursuant to s. 316.193 or s. 327.35. The clerks shall remit the funds to the Department of Revenue, $25 of which shall be deposited in the Emergency Medical Services Trust Fund, $50 shall be deposited in the Operating Trust Fund of the Department of Law Enforcement to be used for operational expenses in conducting the statewide criminal analysis laboratory system established in s. 943.32, and $60 shall be deposited in the Brain and Spinal Cord Injury *Program* ~~Rehabilitation~~ Trust Fund created in s. 381.79.

Section 13. Section 215.5602, Florida Statutes, is reenacted and amended to read:

215.5602 James and Esther King Biomedical Research Program.—

(1) There is established within the Department of Health the James and Esther King Biomedical Research Program funded by the proceeds of the Lawton Chiles Endowment Fund pursuant to s. 215.5601. The purpose of the James and Esther King Biomedical Research Program is to provide an annual and perpetual source of funding in order to support research initiatives that address the health care problems of Floridians in the areas of tobacco-related cancer, cardiovascular disease, stroke, and pulmonary disease. The long-term goals of the program are to:

(a) Improve the health of Floridians by researching better prevention, diagnoses, treatments, and cures for cancer, cardiovascular disease, stroke, and pulmonary disease.

(b) Expand the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure of diseases related to tobacco use, including cancer, cardiovascular disease, stroke, and pulmonary disease.

(c) Improve the quality of the state's academic health centers by bringing the advances of biomedical research into the training of physicians and other health care providers.

(d) Increase the state's per capita funding for research by undertaking new initiatives in public health and biomedical research that will attract additional funding from outside the state.

(e) Stimulate economic activity in the state in areas related to biomedical research, such as the research and production of pharmaceuticals, biotechnology, and medical devices.

(2) Funds appropriated for the James and Esther King Biomedical Research Program shall be used exclusively for the award of grants and fellowships as established in this section; for research relating to the prevention, diagnosis, treatment, and cure of diseases related to tobacco use, including cancer, cardiovascular disease, stroke, and pulmonary disease; and for expenses incurred in the administration of this section. Priority shall be granted to research designed to prevent or cure disease.

(3) There is created within the Department of Health the Biomedical Research Advisory Council.

(a) The council shall consist of 11 members, including: the chief executive officer of the Florida Division of the American Cancer Society, or a designee; the chief executive officer of the Florida/Puerto Rico Affiliate of the American Heart Association, or a designee; and the chief executive officer of the American Lung Association of Florida, or a designee. The remaining 8 members of the council shall be appointed as follows:

1. The Governor shall appoint four members, two members with expertise in the field of biomedical research, one member from a research university in the state, and one member representing the general population of the state.

2. The President of the Senate shall appoint two members, one member with expertise in the field of behavioral or social research and one representative from a cancer program approved by the American College of Surgeons.

3. The Speaker of the House of Representatives shall appoint two members, one member from a professional medical organization and one representative from a cancer program approved by the American College of Surgeons.

In making these appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall select primarily, but not exclusively, Floridians with biomedical and lay expertise in the general areas of cancer, cardiovascular disease, stroke, and pulmonary disease. The appointments shall be for a 3-year term and shall reflect the diversity of the state's population. An appointed member may not serve more than two consecutive terms.

(b) The council shall adopt internal organizational procedures as necessary for its efficient organization.

(c) The department shall provide such staff, information, and other assistance as is reasonably necessary to assist the council in carrying out its responsibilities.

(d) Members of the council shall serve without compensation, but may receive reimbursement as provided in s. 112.061 for travel and other necessary expenses incurred in the performance of their official duties.

(4) The council shall advise the State Surgeon General as to the direction and scope of the biomedical research program. The responsibilities of the council may include, but are not limited to:

(a) Providing advice on program priorities and emphases.

(b) Providing advice on the overall program budget.

(c) Participating in periodic program evaluation.

(d) Assisting in the development of guidelines to ensure fairness, neutrality, and adherence to the principles of merit and quality in the conduct of the program.

(e) Assisting in the development of appropriate linkages to nonacademic entities, such as voluntary organizations, health care delivery institutions, industry, government agencies, and public officials.

(f) Developing criteria and standards for the award of research grants.

(g) Developing administrative procedures relating to solicitation, review, and award of research grants and fellowships, to ensure an impartial, high-quality peer review system.

(h) Developing and supervising research peer review panels.

(i) Reviewing reports of peer review panels and making recommendations for research grants and fellowships.

(j) Developing and providing oversight regarding mechanisms for the dissemination of research results.

(5)(a) Applications for biomedical research funding under the program may be submitted from any university or established research institute in the state. All qualified investigators in the state, regardless of institution affiliation, shall have equal access and opportunity to compete for the research funding.

(b) Grants and fellowships shall be awarded by the State Surgeon General, after consultation with the council, on the basis of scientific merit, as determined by an open competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.

2. Institutional research grants.

3. Predoctoral and postdoctoral research fellowships.

(6) To ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the State Surgeon General, in consultation with the council, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its scientific priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals shall be recommended for funding.

(7) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflict of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee, or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels shall be subject to the provisions of chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(8) The department may contract on a competitive-bid basis with an appropriate entity to administer the program. Administrative expenses may not exceed 15 percent of the total funds available to the program in any given year.

(9) The department, after consultation with the council, may adopt rules as necessary to implement this section.

(10) The council shall submit an annual progress report on the state of biomedical research in this state to the Florida Center for Universal Research to Eradicate Disease and to the Governor, the State Surgeon General, the President of the Senate, and the Speaker of the House of Representatives by February 1. The report must include:

(a) A list of research projects supported by grants or fellowships awarded under the program.

(b) A list of recipients of program grants or fellowships.

(c) A list of publications in peer reviewed journals involving research supported by grants or fellowships awarded under the program.

(d) The total amount of biomedical research funding currently flowing into the state.

(e) New grants for biomedical research which were funded based on research supported by grants or fellowships awarded under the program.

(f) Progress in the prevention, diagnosis, treatment, and cure of diseases related to tobacco use, including cancer, cardiovascular disease, stroke, and pulmonary disease.

(11) The council shall award grants for cancer research through the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program created in s. 381.922.

(12) From funds appropriated to accomplish the goals of this section, up to $250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.

~~(a)~~ Beginning in the *2010-2011* ~~2009-2010~~ fiscal year and thereafter, *$50 million from* ~~5 percent of~~ the revenue deposited into the Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7) shall be reserved for research of tobacco-related or cancer-related illnesses~~; however, the sum of the revenue reserved pursuant to ss. 210.011(9) and 210.276(7) may not exceed $50 million in any fiscal year~~. *Of the revenue deposited in the Health Care Trust Fund pursuant to this section, $50 million shall be transferred to the Biomedical Research Trust Fund within the Department of Health. Subject to annual appropriations in the General Appropriations Act, $20 million shall be appropriated to the James and Esther King Biomedical Research Program, $20 million shall be appropriated to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program created under s. 381.922, and $10 million shall be appropriated to the H. Lee Moffitt Cancer Center and Research Institute established under s. 1004.43.*

~~(b) In the 2009-2010 fiscal year, 2.5 percent, not to exceed $25 million, of the revenue deposited into the Health Care Trust Fund pursuant to this subsection shall be transferred to the Biomedical Research Trust Fund within the Department of Health for the James and Esther King Biomedical Research Program.~~

~~(13) By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.~~

~~(14) The Legislature shall review the performance, the outcomes, and the financial management of the James and Esther King Biomedical Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.~~

~~(15) This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.~~

Section 14. Section 381.922, Florida Statutes, is reenacted and amended to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(1) The William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, which may be otherwise cited as the "Bankhead-Coley Program," is created within the Department of Health. The purpose of the program shall be to advance progress towards cures for cancer through grants awarded through a peer-reviewed, competitive process.

(2) The program shall provide grants for cancer research to further the search for cures for cancer.

(a) Emphasis shall be given to the *following* goals ~~enumerated in s. 381.921~~, as those goals support the advancement of such cures*:*

1. Efforts to significantly expand cancer research capacity in the state by:

a. Identifying ways to attract new research talent and attendant national grant-producing researchers to cancer research facilities in this state;

b. Implementing a peer-reviewed, competitive process to identify and fund the best proposals to expand cancer research institutes in this state;

c. Funding through available resources for those proposals that demonstrate the greatest opportunity to attract federal research grants and private financial support;

d. Encouraging the employment of bioinformatics in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines, to facilitate the full spectrum of cancer investigations;

e. Facilitating the technical coordination, business development, and support of intellectual property as it relates to the advancement of cancer research; and

f. Aiding in other multidisciplinary research-support activities as they inure to the advancement of cancer research.

2. Efforts to improve both research and treatment through greater participation in clinical trials networks by:

a. Identifying ways to increase adult enrollment in cancer clinical trials;

b. Supporting public and private professional education programs designed to increase the awareness and knowledge about cancer clinical trials;

c. Providing tools to cancer patients and community-based oncologists to aid in the identification of cancer clinical trials available in the state; and

d. Creating opportunities for the state's academic cancer centers to collaborate with community-based oncologists in cancer clinical trials networks.

3. Efforts to reduce the impact of cancer on disparate groups by:

a. Identifying those cancers that disproportionately impact certain demographic groups; and

b. Building collaborations designed to reduce health disparities as they relate to cancer.

(b) Preference may be given to grant proposals that foster collaborations among institutions, researchers, and community practitioners, as such proposals support the advancement of cures through basic or applied research, including clinical trials involving cancer patients and related networks.

(3)(a) Applications for funding for cancer research may be submitted by any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Collaborative proposals, including those that advance the program's goals enumerated in subsection (2), may be given preference. Grants shall be awarded by the State Surgeon General, after consultation with the Biomedical Research Advisory Council, on the basis of scientific merit, as determined by an open, competitive peer review process that ensures objectivity, consistency, and high quality. The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.

2. Institutional research grants.

3. Collaborative research grants, including those that advance the finding of cures through basic or applied research.

(b) In order to ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the State Surgeon General, in consultation with the council, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals shall be recommended for funding.

(c) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(4) By December 15 of each year, the Department of Health shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report indicating progress towards the program's mission and making recommendations that further its purpose.

(5) *The William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program is funded pursuant to s. 215.5602(12).* Funds appropriated for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program shall be distributed pursuant to this section to provide grants to researchers seeking cures for cancer and cancer-related illnesses, with emphasis given to the goals enumerated in *this section* ~~s. 381.921~~. From the total funds appropriated, an amount of up to 10 percent may be used for administrative expenses. *From funds appropriated to accomplish the goals of this section, up to $250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.* ~~In the 2009-2010 fiscal year, 2.5 percent, not to exceed $25 million, of the revenue deposited into the Health Care Trust Fund pursuant to s. 215.5602(12)(a) shall be transferred to the Biomedical Research Trust Fund within the Department of Health for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.~~

~~(6) By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.~~

~~(7) The Legislature shall review the performance, the outcomes, and the financial management of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.~~

~~(8) This section expires January 1, 2011, unless reviewed and reenacted by the Legislature before that date.~~

Section 15. Subsection (6) of section 20.43, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

20.43 Department of Health.—There is created a Department of Health.

(6) The State Surgeon General *is* ~~and division directors are~~ authorized to appoint ad hoc advisory committees as necessary. The issue or problem that the ad hoc committee shall address, and the timeframe within which the committee is to complete its work, shall be specified at the time the committee is appointed. Ad hoc advisory committees shall include representatives of groups or entities affected by the issue or problem that the committee is asked to examine. Members of ad hoc advisory committees shall receive no compensation, but may, within existing departmental resources, receive reimbursement for travel expenses as provided in s. 112.061.

(10)(a) Beginning in fiscal year 2010-2011, the department shall initiate or commence new programs only when the Legislative Budget Commission or the Legislature expressly authorizes the department to do so.

(b) Beginning in fiscal year 2010-2011, before applying for any continuation of or new federal or private grants that are for an amount of $50,000 or greater, the department shall provide written notification to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The notification must include detailed information about the purpose of the grant, the intended use of the funds, and the number of full-time permanent or temporary employees needed to administer the program funded by the grant.

Section 16. Subsection (14) of section 381.0011, Florida Statutes, is renumbered as subsection (15), and a new subsection (14) is added to that section, to read:

381.0011 Duties and powers of the Department of Health.—It is the duty of the Department of Health to:

(14) Manage and coordinate emergency preparedness and disaster response functions to: investigate and control the spread of disease; coordinate the availability and staffing of special needs shelters; support patient evacuation; ensure the safety of food and drugs; provide critical incident stress debriefing; and provide surveillance and control of radiological, chemical, biological, and other environmental hazards.

Section 17. Subsection (16) of section 381.006, Florida Statutes, is amended to read:

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

(16) A group-care-facilities function*. As used in this subsection, the term*~~, where a~~ "group care facility" means any public or private school, *assisted living facility, adult family-care home, adult day care center, short-term residential treatment center, residential treatment facility, home for special services, transitional living facility, crisis stabilization unit, hospice, prescribed pediatric extended care center, intermediate care facility for persons with developmental disabilities, or boarding school* ~~housing, building or buildings, section of a building, or distinct part of a building or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide one or more personal services, care, protection, and supervision to persons who require such services and who are not related to the owner or administrator~~. The department may adopt rules necessary to protect the health and safety of residents, staff, and patrons of group care facilities*. Rules related to public and private schools shall be developed by*~~, such as child care facilities, family day care homes, assisted living facilities, adult day care centers, adult family care homes, hospices, residential treatment facilities, crisis stabilization units, pediatric extended care centers, intermediate care facilities for the developmentally disabled, group care homes, and, jointly with~~ the Department of Education *in consultation with the department*~~, private and public schools~~. ~~These~~ Rules *adopted under this subsection* may include definitions of terms; provisions relating to operation and maintenance of facilities, buildings, grounds, equipment, furnishings, and occupant-space requirements; lighting; heating, cooling, and ventilation; food service; water supply and plumbing; sewage; sanitary facilities; insect and rodent control; garbage; safety; personnel health, hygiene, and work practices; and other matters the department finds are appropriate or necessary to protect the safety and health of the residents, staff, *students, faculty,* or patrons. The department may not adopt rules that conflict with rules adopted by the licensing or certifying agency. The department may enter and inspect at reasonable hours to determine compliance with applicable statutes or rules. In addition to any sanctions that the department may impose for violations of rules adopted under this section, the department shall also report such violations to any agency responsible for licensing or certifying the group care facility. The licensing or certifying agency may also impose any sanction based solely on the findings of the department.

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

Section 18. Subsections (1), (2), (3), and (6) of section 381.0072, Florida Statutes, are amended to read:

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

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

(a) "Department" means the Department of Health or its representative county health department.

(b) "Food service establishment" means *detention facilities, public or private schools, migrant labor camps, assisted living facilities, adult family-care homes, adult day care centers, short-term residential treatment centers, residential treatment facilities, homes for special services, transitional living facilities, crisis stabilization units, hospices, prescribed pediatric extended care centers, intermediate care facilities for persons with developmental disabilities, boarding schools, civic or fraternal organizations, bars and lounges, vending machines that dispense potentially hazardous foods at facilities expressly named in this paragraph, and facilities used as temporary food events or mobile food units at any facility expressly named* ~~any facility, as described~~ in this paragraph, where food is prepared and intended for individual portion service, *including* ~~and includes~~ the site at which individual portions are provided,~~. The term includes any such facility~~ regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. ~~The term includes detention facilities, child care facilities, schools, institutions, civic or fraternal organizations, bars and lounges and facilities used at temporary food events, mobile food units, and vending machines at any facility regulated under this section.~~ The term does not include *any entity not expressly named in this paragraph* ~~private homes where food is prepared or served for individual family consumption; nor does the term include churches, synagogues, or other not for profit religious organizations as long as these organizations serve only their members and guests and do not advertise food or drink for public consumption, or any facility or establishment permitted or licensed under chapter 500 or chapter 509; nor does the term include any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters; nor does the term include a research and development test kitchen limited to the use of employees and which is not open to the general public~~.

(c) "Operator" means the owner, operator, keeper, proprietor, lessee, manager, assistant manager, agent, or employee of a food service establishment.

(2) DUTIES.—

(a) The department may advise and consult with the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Agriculture and Consumer Services, and the Department of Children and Family Services concerning procedures related to the storage, preparation, serving, or display of food at any building, structure, or facility not expressly included in this section that is inspected, licensed, or regulated by those agencies.

(b)~~(a)~~ The department shall adopt rules, including definitions of terms which are consistent with law prescribing minimum sanitation standards and manager certification requirements as prescribed in s. 509.039, and which shall be enforced in food service establishments as defined in this section. The sanitation standards must address the construction, operation, and maintenance of the establishment; lighting, ventilation, laundry rooms, lockers, use and storage of toxic materials and cleaning compounds, and first-aid supplies; plan review; design, construction, installation, location, maintenance, sanitation, and storage of food equipment and utensils; employee training, health, hygiene, and work practices; food supplies, preparation, storage, transportation, and service, including access to the areas where food is stored or prepared; and sanitary facilities and controls, including water supply and sewage disposal; plumbing and toilet facilities; garbage and refuse collection, storage, and disposal; and vermin control. Public and private schools, if the food service is operated by school employees,~~; hospitals licensed under chapter 395; nursing homes licensed under part II of chapter 400; child care facilities as defined in s. 402.301; residential facilities colocated with a nursing home or hospital, if all food is prepared in a central kitchen that complies with nursing or hospital regulations; and~~ bars and lounges, *civic organizations, and any other facility that is not regulated under this section* ~~as defined by department rule,~~ are exempt from the rules developed for manager certification. The department shall administer a comprehensive inspection, monitoring, and sampling program to ensure such standards are maintained. With respect to food service establishments permitted or licensed under chapter 500 or chapter 509, the department shall assist the Division of Hotels and Restaurants of the Department of Business and Professional Regulation and the Department of Agriculture and Consumer Services with rulemaking by providing technical information.

(c)~~(b)~~ The department shall carry out all provisions of this chapter and all other applicable laws and rules relating to the inspection or regulation of food service establishments as defined in this section, for the purpose of safeguarding the public's health, safety, and welfare.

(d)~~(c)~~ The department shall inspect each food service establishment as often as necessary to ensure compliance with applicable laws and rules. The department shall have the right of entry and access to these food service establishments at any reasonable time. In inspecting food service establishments as provided under this section, the department shall provide each inspected establishment with the food recovery brochure developed under s. 570.0725.

(e)~~(d)~~ The department or other appropriate regulatory entity may inspect theaters exempted in subsection (1) to ensure compliance with applicable laws and rules pertaining to minimum sanitation standards. A fee for inspection shall be prescribed by rule, but the aggregate amount charged per year per theater establishment shall not exceed $300, regardless of the entity providing the inspection.

(3) LICENSES REQUIRED.—

(a) Licenses; annual renewals.—Each food service establishment regulated under this section shall obtain a license from the department annually. Food service establishment licenses shall expire annually and are not transferable from one place or individual to another. However, those facilities licensed by the department's Office of Licensure and Certification, the Child Care Services Program Office, or the Agency for Persons with Disabilities are exempt from this subsection. It shall be a misdemeanor of the second degree, punishable as provided in s. 381.0061, s. 775.082, or s. 775.083, for such an establishment to operate without this license. The department may refuse a license, or a renewal thereof, to any establishment that is not constructed or maintained in accordance with law and with the rules of the department. Annual application for renewal is not required.

(b) Application for license.—Each person who plans to open a food service establishment *regulated under this section and* not regulated under chapter 500 or chapter 509 shall apply for and receive a license prior to the commencement of operation.

(6) IMMINENT DANGERS; STOP-SALE ORDERS.—

(a) In the course of epidemiological investigations or for those establishments regulated *by the department* under this chapter, the department, to protect the public from food that is unwholesome or otherwise unfit for human consumption, may examine, sample, seize, and stop the sale or use of food to determine its condition. The department may stop the sale and supervise the proper destruction of food when the State Health Officer or his or her designee determines that such food represents a threat to the public health.

(b) The department may determine that a food service establishment regulated under this section is an imminent danger to the public health and require its immediate closure when such establishment fails to comply with applicable sanitary and safety standards and, because of such failure, presents an imminent threat to the public's health, safety, and welfare. The department may accept inspection results from state and local building and firesafety officials and other regulatory agencies as justification for such actions. Any facility so deemed and closed shall remain closed until allowed by the department or by judicial order to reopen.

Section 19. *Sections 411.23, 411.231, and 411.232, Florida Statutes, are repealed.*

Section 20. Paragraph (d) of subsection (5) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(5) CREATION OF EARLY LEARNING COALITIONS.—

(d) Implementation.—

1. An early learning coalition may not implement the school readiness program until the coalition is authorized through approval of the coalition's school readiness plan by the Agency for Workforce Innovation.

2. Each early learning coalition shall develop a plan for implementing the school readiness program to meet the requirements of this section and the performance standards and outcome measures adopted by the Agency for Workforce Innovation. The plan must demonstrate how the program will ensure that each 3-year-old and 4-year-old child in a publicly funded school readiness program receives scheduled activities and instruction designed to enhance the age-appropriate progress of the children in attaining the performance standards adopted by the Agency for Workforce Innovation under subparagraph (4)(d)8. Before implementing the school readiness program, the early learning coalition must submit the plan to the Agency for Workforce Innovation for approval. The Agency for Workforce Innovation may approve the plan, reject the plan, or approve the plan with conditions. The Agency for Workforce Innovation shall review school readiness plans at least annually.

3. If the Agency for Workforce Innovation determines during the annual review of school readiness plans, or through monitoring and performance evaluations conducted under paragraph (4)(l), that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the agency, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the Agency for Workforce Innovation may dissolve the coalition and temporarily contract with a qualified entity to continue school readiness and prekindergarten services in the coalition's county or multicounty region until the coalition is reestablished through resubmission of a school readiness plan and approval by the agency.

4. The Agency for Workforce Innovation shall adopt criteria for the approval of school readiness plans. The criteria must be consistent with the performance standards and outcome measures adopted by the agency and must require each approved plan to include the following minimum standards and provisions:

a. A sliding fee scale establishing a copayment for parents based upon their ability to pay, which is the same for all program providers, to be implemented and reflected in each program's budget.

b. A choice of settings and locations in licensed, registered, religious-exempt, or school-based programs to be provided to parents.

c. Instructional staff who have completed the training course as required in s. 402.305(2)(d)1., as well as staff who have additional training or credentials as required by the Agency for Workforce Innovation. The plan must provide a method for assuring the qualifications of all personnel in all program settings.

d. Specific eligibility priorities for children within the early learning coalition's county or multicounty region in accordance with subsection (6).

e. Performance standards and outcome measures adopted by the Agency for Workforce Innovation.

f. Payment rates adopted by the early learning coalition and approved by the Agency for Workforce Innovation. Payment rates may not have the effect of limiting parental choice or creating standards or levels of services that have not been authorized by the Legislature.

g. Systems support services, including a central agency, child care resource and referral, eligibility determinations, training of providers, and parent support and involvement.

h. Direct enhancement services to families and children. System support and direct enhancement services shall be in addition to payments for the placement of children in school readiness programs.

i. The business organization of the early learning coalition, which must include the coalition's articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent. An early learning coalition may contract with other coalitions to achieve efficiency in multicounty services, and these contracts may be part of the coalition's school readiness plan.

j. Strategies to meet the needs of unique populations, such as migrant workers.

As part of the school readiness plan, the early learning coalition may request the Governor to apply for a waiver to allow the coalition to administer the Head Start Program to accomplish the purposes of the school readiness program. If a school readiness plan demonstrates that specific statutory goals can be achieved more effectively by using pro-

cedures that require modification of existing rules, policies, or procedures, a request for a waiver to the Agency for Workforce Innovation may be submitted as part of the plan. Upon review, the Agency for Workforce Innovation may grant the proposed modification.

5. Persons with an early childhood teaching certificate may provide support and supervision to other staff in the school readiness program.

6. An early learning coalition may not implement its school readiness plan until it submits the plan to and receives approval from the Agency for Workforce Innovation. Once the plan is approved, the plan and the services provided under the plan shall be controlled by the early learning coalition. The plan shall be reviewed and revised as necessary, but at least biennially. An early learning coalition may not implement the revisions until the coalition submits the revised plan to and receives approval from the Agency for Workforce Innovation. If the Agency for Workforce Innovation rejects a revised plan, the coalition must continue to operate under its prior approved plan.

7. Sections 125.901(2)(a)3. *and*~~,~~ 411.221~~, and 411.232~~ do not apply to an early learning coalition with an approved school readiness plan. To facilitate innovative practices and to allow the regional establishment of school readiness programs, an early learning coalition may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any of the provisions of ss. 411.223~~, 411.232,~~ and 1003.54, if the waiver is necessary for implementation of the coalition's school readiness plan.

8. Two or more counties may join for purposes of planning and implementing a school readiness program.

9. An early learning coalition may, subject to approval by the Agency for Workforce Innovation as part of the coalition's school readiness plan, receive subsidized child care funds for all children eligible for any federal subsidized child care program.

10. An early learning coalition may enter into multiparty contracts with multicounty service providers in order to meet the needs of unique populations such as migrant workers.

Section 21. Subsection (2) of section 411.224, Florida Statutes, is amended to read:

411.224 Family support planning process.—The Legislature establishes a family support planning process to be used by the Department of Children and Family Services as the service planning process for targeted individuals, children, and families under its purview.

(2) To the extent possible within existing resources, the following populations must be included in the family support planning process:

(a) Children from birth to age 5 who are served by the clinic and programs of the Division of Children's Medical Services of the Department of Health.

(b) Children participating in the developmental evaluation and intervention program of the Division of Children's Medical Services of the Department of Health.

(c) Children from age 3 through age 5 who are served by the Agency for Persons with Disabilities.

(d) Children from birth through age 5 who are served by the Mental Health Program Office of the Department of Children and Family Services.

~~(e) Participants who are served by the Children's Early Investment Program established in s. 411.232.~~

(e)~~(f)~~ Healthy Start participants in need of ongoing service coordination.

(f)~~(g)~~ Children from birth through age 5 who are served by the voluntary family services, protective supervision, foster care, or adoption and related services programs of the Child Care Services Program Office of the Department of Children and Family Services, and who are eligible for ongoing services from one or more other programs or agencies that participate in family support planning; however, children served by the voluntary family services program, where the planned length of intervention is 30 days or less, are excluded from this population.

Section 22. Subsections (32) through (54) of section 499.003, Florida Statutes, are renumbered as subsections (33) through (55), respectively, present subsection (42) is amended, and a new subsection (32) is added to that section, to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(32) "Medical convenience kit" means packages or units that contain combination products as defined in 21 C.F.R. s. 3.2(e)(2).

(43)~~(42)~~ "Prescription drug" means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active ingredients subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection (11), subsection *(46)* ~~(45)~~, or subsection *(53)* ~~(52)~~.

Section 23. Paragraph (q) of subsection (2) of section 499.01, Florida Statutes, is amended to read:

499.01 Permits.—

(2) The following permits are established:

(q) Device manufacturer permit.—

1. A device manufacturer permit is required for any person that engages in the manufacture, repackaging, or assembly of medical devices for human use in this state, except that a permit is not required if*:*

a. The person is engaged only in manufacturing, repackaging, or assembling a medical device pursuant to a practitioner's order for a specific patient*; or*

b. The person does not manufacture, repackage, or assemble any medical devices or components for such devices, except those devices or components which are exempt from registration pursuant to s. 499.015(8).

2.~~1.~~ A manufacturer or repackager of medical devices in this state must comply with all appropriate state and federal good manufacturing practices and quality system rules.

3.~~2.~~ The department shall adopt rules related to storage, handling, and recordkeeping requirements for manufacturers of medical devices for human use.

Section 24. Paragraph (i) is added to subsection (3) of section 499.01212, Florida Statutes, to read:

499.01212 Pedigree paper.—

(3) EXCEPTIONS.—A pedigree paper is not required for:

(i) The wholesale distribution of prescription drugs within a medical convenience kit if:

1. The medical convenience kit is assembled in an establishment that is registered with the United States Food and Drug Administration as a medical device manufacturer;

2. The medical convenience kit manufacturer purchased the prescription drug directly from the manufacturer or from a wholesaler that purchased the prescription drug directly from the manufacturer;

3. The medical convenience kit manufacturer complies with federal law for the distribution of the prescription drugs within the kit; and

4. The drugs contained in the medical kit are:

a. Intravenous solutions intended for the replenishment of fluids and electrolytes;

b. Products intended to maintain the equilibrium of water and minerals in the body;

c. Products intended for irrigation or reconstitution;

d. Anesthetics; or

e. Anticoagulants.

This exemption does not apply to a convenience kit containing any controlled substance that appears in a schedule contained in or subject to chapter 893 or the federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

Section 25. Subsections (4) and (5) of section 509.013, Florida Statutes, are amended to read:

509.013 Definitions.—As used in this chapter, the term:

(4)(a) "Public lodging establishment" includes a transient public lodging establishment as defined in subparagraph 1. and a nontransient public lodging establishment as defined in subparagraph 2.

1. "Transient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

2. "Nontransient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 days or 1 calendar month.

License classifications of public lodging establishments, and the definitions therefor, are set out in s. 509.242. For the purpose of licensure, the term does not include condominium common elements as defined in s. 718.103.

(b) The following are excluded from the definitions in paragraph (a):

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors;

2. Any *facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Family Services* ~~hospital, nursing home, sanitarium, assisted living facility,~~ or other similar place *regulated under s. 381.0072*;

3. Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients;

4. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent;

5. Any migrant labor camp or residential migrant housing permitted by the Department of Health; under ss. 381.008-381.00895; and

6. Any establishment inspected by the Department of Health and regulated by chapter 513.

(5)(a) "Public food service establishment" means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption.

(b) The following are excluded from the definition in paragraph (a):

1. Any place maintained and operated by a public or private school, college, or university:

a. For the use of students and faculty; or

b. Temporarily to serve such events as fairs, carnivals, and athletic contests.

2. Any eating place maintained and operated by a church or a religious, nonprofit fraternal, or nonprofit civic organization:

a. For the use of members and associates; or

b. Temporarily to serve such events as fairs, carnivals, or athletic contests.

3. Any eating place located on an airplane, train, bus, or watercraft which is a common carrier.

4. Any eating place maintained by a *facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Family Services* ~~hospital, nursing home, sanitarium, assisted living facility, adult day care center,~~ or other similar place that is regulated under s. 381.0072.

5. Any place of business issued a permit or inspected by the Department of Agriculture and Consumer Services under s. 500.12.

6. Any place of business where the food available for consumption is limited to ice, beverages with or without garnishment, popcorn, or prepackaged items sold without additions or preparation.

7. Any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters.

8. Any vending machine that dispenses any food or beverages other than potentially hazardous foods, as defined by division rule.

9. Any vending machine that dispenses potentially hazardous food and which is located in a facility regulated under s. 381.0072.

10. Any research and development test kitchen limited to the use of employees and which is not open to the general public.

Section 26. *The Department of Health shall develop a plan that exclusively uses private and nonstate public hospitals to provide treatment to cure, hospitalization, and isolation for persons with contagious cases of tuberculosis who pose a threat to the public. The department shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2010. The plan shall include the following elements:*

(1) Identification of hospitals functionally capable of caring for such patients.

(2) Reimbursement for hospital inpatient services at the Medicaid rate and reimbursement for other medically necessary services that are not hospital inpatient services at the relevant Medicaid rate.

(3) Projected cost estimates.

(4) A transition plan for closing the A. G. Holley State Hospital and transferring patients to private and nonstate public hospitals over a 90-day period of time.

Section 27. *(1) All of the statutory powers, duties, and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of chapter 499, Florida Statutes, relating to drugs, devices, cosmetics, and household products shall be transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, from the Department of Health to the Department of Business and Professional Regulation.*

(2) The transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section shall not affect the validity of any judicial or administrative action pending as of 11:59 p.m. on the day before the effective date of this section to which the Department of Health is at that time a party, and the Department of Business and Professional Regulation shall be substituted as a party in interest in any such action.

(3) All lawful orders issued by the Department of Health implementing or enforcing or otherwise in regard to any provision of chapter 499,

Florida Statutes, issued prior to the effective date of this section shall remain in effect and be enforceable after the effective date of this section unless thereafter modified in accordance with law.

(4) The rules of the Department of Health relating to the implementation of chapter 499, Florida Statutes, that were in effect at 11:59 p.m. on the day prior to the effective date of this section shall become the rules of the Department of Business and Professional Regulation and shall remain in effect until amended or repealed in the manner provided by law.

(5) Notwithstanding the transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section, persons and entities holding in good standing any permit under chapter 499, Florida Statutes, as of 11:59 p.m. on the day prior to the effective date of this section shall, as of the effective date of this section, be deemed to hold in good standing a permit in the same capacity as that for which the permit was formerly issued.

(6) Notwithstanding the transfer of regulatory authority under chapter 499, Florida Statutes, provided by this section, persons holding in good standing any certification under chapter 499, Florida Statutes, as of 11:59 p.m. on the day prior to the effective date of this section shall, as of the effective date of this section, be deemed to be certified in the same capacity in which they were formerly certified.

(7) This section shall take effect October 1, 2011.

Section 28. Paragraph (a) of subsection (3) and subsections (9) and (10) of section 381.0403, Florida Statutes, are amended to read:

381.0403 The Community Hospital Education Act.—

(3) PROGRAM FOR COMMUNITY HOSPITAL EDUCATION; STATE AND LOCAL PLANNING.—

(a) There is established under the Department of Health a program for statewide graduate medical education. It is intended that continuing graduate medical education programs for interns and residents be established on a statewide basis. The program shall provide financial support for primary care specialty interns and residents based on policies recommended and approved by the Community Hospital Education Council, herein established, and the Department of Health. Only those programs with at least three residents or interns in each year of the training program are qualified to apply for financial support. Programs with fewer than three residents or interns per training year are qualified to apply for financial support, but only if the appropriate accrediting entity for the particular specialty has approved the program for fewer positions. Programs added after fiscal year 1997-1998 shall have 5 years to attain the requisite number of residents or interns. When feasible and to the extent allowed through the General Appropriations Act, state funds shall be used to generate federal matching funds under Medicaid, or other federal programs, and the resulting combined state and federal funds shall be allocated to participating hospitals for the support of graduate medical education. ~~The department may spend up to $75,000 of the state appropriation for administrative costs associated with the production of the annual report as specified in subsection (9), and for administration of the program.~~

~~(9) ANNUAL REPORT ON GRADUATE MEDICAL EDUCATION; COMMITTEE.—The Executive Office of the Governor, the Department of Health, and the Agency for Health Care Administration shall collaborate to establish a committee that shall produce an annual report on graduate medical education. The committee shall be comprised of 11 members: five members shall be deans of the medical schools or their designees; the Governor shall appoint two members, one of whom must be a representative of the Florida Medical Association who has supervised or currently supervises residents or interns and one of whom must be a representative of the Florida Hospital Association; the Secretary of Health Care Administration shall appoint two members, one of whom must be a representative of a statutory teaching hospital and one of whom must be a physician who has supervised or is currently supervising residents or interns; and the State Surgeon General shall appoint two members, one of whom must be a representative of a statutory family practice teaching hospital and one of whom must be a physician who has supervised or is currently supervising residents or interns. With the exception of the deans, members shall serve 4 year terms. In order to stagger the terms, the Governor's appointees shall serve initial terms of 4 years, the State Surgeon General's appointees shall serve initial terms of 3 years, and the Secretary of Health Care Administration's appointees shall serve initial terms of 2 years. A member's term shall be deemed terminated when the member's representative status no longer exists. Once the committee is appointed, it shall elect a chair to serve for a 1 year term. The report shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 15 annually. Committee members shall serve without compensation. The report shall address the following:~~

~~(a) The role of residents and medical faculty in the provision of health care.~~

~~(b) The relationship of graduate medical education to the state's physician workforce.~~

~~(c) The costs of training medical residents for hospitals, medical schools, teaching hospitals, including all hospital-medical affiliations, practice plans at all of the medical schools, and municipalities.~~

~~(d) The availability and adequacy of all sources of revenue to support graduate medical education and recommend alternative sources of funding for graduate medical education.~~

~~(e) The use of state and federal appropriated funds for graduate medical education by hospitals receiving such funds.~~

(9)~~(10)~~ RULEMAKING.—The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 29. Section 381.4018, Florida Statutes, is amended to read:

381.4018 Physician workforce assessment and development.—

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

(a) "Consortium" or "consortia" means a combination of statutory teaching hospitals, specialty children's hospitals, statutory rural hospitals, other hospitals, accredited medical schools, clinics operated by the Department of Health, clinics operated by the Department of Veterans' Affairs, area health education centers, community health centers, federally qualified health centers, prison clinics, local community clinics, or other programs. At least one member of the consortium shall be a sponsoring institution accredited or currently seeking accreditation by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association.

(b) "Council" means the Physician Workforce Advisory Council.

(c) "Department" means the Department of Health.

(d) "Graduate medical education program" means a program accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association.

(e) "Primary care specialty" means emergency medicine, family practice, internal medicine, pediatrics, psychiatry, geriatrics, general surgery, obstetrics and gynecology, and combined pediatrics and internal medicine and other specialties as determined by the Physician Workforce Advisory Council or the Department of Health.

(2)~~(1)~~ LEGISLATIVE INTENT.—The Legislature recognizes that physician workforce planning is an essential component of ensuring that there is an adequate and appropriate supply of well-trained physicians to meet this state's future health care service needs as the general population and elderly population of the state increase. The Legislature finds that items to consider relative to assessing the physician workforce may include physician practice status; specialty mix; geographic distribution; demographic information, including, but not limited to, age, gender, race, and cultural considerations; and needs of current or projected medically underserved areas in the state. Long-term strategic planning is essential as the period from the time a medical student enters medical school to completion of graduate medical education may range from 7 to 10 years or longer. The Legislature recognizes that strategies to provide for a well-trained supply of physicians must include ensuring the availability and capacity of quality ~~graduate~~ medical schools *and graduate medical education programs* in this state, as well

as using new or existing state and federal programs providing incentives for physicians to practice in needed specialties and in underserved areas in a manner that addresses projected needs for physician manpower.

(3)~~(2)~~ PURPOSE.—The department ~~of Health~~ shall serve as a coordinating and strategic planning body to actively assess the state's current and future physician workforce needs and work with multiple stakeholders to develop strategies and alternatives to address current and projected physician workforce needs.

(4)~~(3)~~ GENERAL FUNCTIONS.—The department shall maximize the use of existing programs under the jurisdiction of the department and other state agencies and coordinate governmental and nongovernmental stakeholders and resources in order to develop a state strategic plan and assess the implementation of such strategic plan. In developing the state strategic plan, the department shall:

(a) Monitor, evaluate, and report on the supply and distribution of physicians licensed under chapter 458 or chapter 459. The department shall maintain a database to serve as a statewide source of data concerning the physician workforce.

(b) Develop a model and quantify, on an ongoing basis, the adequacy of the state's current and future physician workforce as reliable data becomes available. Such model must take into account demographics, physician practice status, place of education and training, generational changes, population growth, economic indicators, and issues concerning the "pipeline" into medical education.

(c) Develop and recommend strategies to determine whether the number of qualified medical school applicants who might become competent, practicing physicians in this state will be sufficient to meet the capacity of the state's medical schools. If appropriate, the department shall, working with representatives of appropriate governmental and nongovernmental entities, develop strategies and recommendations and identify best practice programs that introduce health care as a profession and strengthen skills needed for medical school admission for elementary, middle, and high school students, and improve premedical education at the precollege and college level in order to increase this state's potential pool of medical students.

(d) Develop strategies to ensure that the number of graduates from the state's public and private allopathic and osteopathic medical schools *is* ~~are~~ adequate to meet physician workforce needs, based on the analysis of the physician workforce data, so as to provide a high-quality medical education to students in a manner that recognizes the uniqueness of each new and existing medical school in this state.

(e) Pursue strategies and policies to create, expand, and maintain graduate medical education positions in the state based on the analysis of the physician workforce data. Such strategies and policies must take into account the effect of federal funding limitations on the expansion and creation of positions in graduate medical education. The department shall develop options to address such federal funding limitations. The department shall consider options to provide direct state funding for graduate medical education positions in a manner that addresses requirements and needs relative to accreditation of graduate medical education programs. The department shall consider funding residency positions as a means of addressing needed physician specialty areas, rural areas having a shortage of physicians, and areas of ongoing critical need, and as a means of addressing the state's physician workforce needs based on an ongoing analysis of physician workforce data.

(f) Develop strategies to maximize federal and state programs that provide for the use of incentives to attract physicians to this state or retain physicians within the state. Such strategies should explore and maximize federal-state partnerships that provide incentives for physicians to practice in federally designated shortage areas. Strategies shall also consider the use of state programs, such as the Florida Health Service Corps established pursuant to s. 381.0302 and the Medical Education Reimbursement and Loan Repayment Program pursuant to s. 1009.65, which provide for education loan repayment or loan forgiveness and provide monetary incentives for physicians to relocate to underserved areas of the state.

(g) Coordinate and enhance activities relative to physician workforce needs, undergraduate medical education, ~~and~~ graduate medical education*, and reentry of retired military and other physicians into the physician workforce* provided by the Division of Medical Quality Assurance, ~~the Community Hospital Education Program and the Graduate Medical Education Committee established pursuant to s. 381.0403,~~ area health education center networks established pursuant to s. 381.0402, and other offices and programs within the department ~~of Health~~ as designated by the State Surgeon General.

(h) Work in conjunction with and act as a coordinating body for governmental and nongovernmental stakeholders to address matters relating to the state's physician workforce assessment and development for the purpose of ensuring an adequate supply of well-trained physicians to meet the state's future needs. Such governmental stakeholders shall include, but need not be limited to, the State Surgeon General or his or her designee, the Commissioner of Education or his or her designee, the Secretary of Health Care Administration or his or her designee, and the Chancellor of the State University System or his or her designee ~~from the Board of Governors of the State University System~~, and, at the discretion of the department, other representatives of state and local agencies that are involved in assessing, educating, or training the state's current or future physicians. Other stakeholders shall include, but need not be limited to, organizations representing the state's public and private allopathic and osteopathic medical schools; organizations representing hospitals and other institutions providing health care, particularly those that *currently provide or* have an interest in providing accredited medical education and graduate medical education to medical students and medical residents; organizations representing allopathic and osteopathic practicing physicians; and, at the discretion of the department, representatives of other organizations or entities involved in assessing, educating, or training the state's current or future physicians.

(i) Serve as a liaison with other states and federal agencies and programs in order to enhance resources available to the state's physician workforce and medical education continuum.

(j) Act as a clearinghouse for collecting and disseminating information concerning the physician workforce and medical education continuum in this state.

(5) PHYSICIAN WORKFORCE ADVISORY COUNCIL.—There is created in the department the Physician Workforce Advisory Council, an advisory council as defined in s. 20.03. The council shall comply with the requirements of s. 20.052, except as otherwise provided in this section.

(a) The council shall consist of 19 members. Members appointed by the State Surgeon General shall include:

1. A designee from the department who is a physician licensed under chapter 458 or chapter 459 and recommended by the State Surgeon General.

2. An individual who is affiliated with the Science Students Together Reaching Instructional Diversity and Excellence program and recommended by the area health education center network.

3. Two individuals recommended by the Council of Florida Medical School Deans, one representing a college of allopathic medicine and one representing a college of osteopathic medicine.

4. One individual recommended by the Florida Hospital Association, representing a hospital that is licensed under chapter 395, has an accredited graduate medical education program, and is not a statutory teaching hospital.

5. One individual representing a statutory teaching hospital as defined in s. 408.07 and recommended by the Safety Net Hospital Alliance.

6. One individual representing a family practice teaching hospital as defined in s. 395.805 and recommended by the Council of Family Medicine and Community Teaching Hospitals.

7. Two individuals recommended by the Florida Medical Association, one representing a primary care specialty and one representing a nonprimary care specialty.

8. Two individuals recommended by the Florida Osteopathic Medical Association, one representing a primary care specialty and one representing a nonprimary care specialty.

9. Two individuals who are program directors of accredited graduate medical education programs, one representing a program that is accredited by the Accreditation Council for Graduate Medical Education and one representing a program that is accredited by the American Osteopathic Association.

10. An individual recommended by the Florida Association of Community Health Centers representing a federally qualified health center located in a rural area as defined in s. 381.0406(2)(a).

11. An individual recommended by the Florida Academy of Family Physicians.

12. An individual recommended by the Florida Alliance for Health Professions Diversity.

13. The Chancellor of the State University System or his or her designee.

14. A layperson member as determined by the State Surgeon General.

Appointments to the council shall be made by the State Surgeon General. Each entity authorized to make recommendations under this subsection shall make at least two recommendations to the State Surgeon General for each appointment to the council. The State Surgeon General shall name one appointee for each position from the recommendations made by each authorized entity.

(b) Each council member shall be appointed to a 4-year term. An individual may not serve more than two terms. Any council member may be removed from office for malfeasance; misfeasance; neglect of duty; incompetence; permanent inability to perform official duties; or pleading guilty or nolo contendere to, or being found guilty of, a felony. Any council member who meets the criteria for removal, or who is otherwise unwilling or unable to properly fulfill the duties of the office, shall be succeeded by an individual chosen by the State Surgeon General to serve out the remainder of the council member's term. If the remainder of the replaced council member's term is less than 18 months, notwithstanding the provisions of this paragraph, the succeeding council member may be reappointed twice by the State Surgeon General.

(c) The chair of the council is the State Surgeon General, who shall designate a vice chair from the membership of the council to serve in the absence of the State Surgeon General. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(d) Council members are not entitled to receive compensation or reimbursement for per diem or travel expenses.

(e) The council shall meet at least twice a year in person or by teleconference.

(f) The council shall:

1. Advise the State Surgeon General and the department on matters concerning current and future physician workforce needs in this state;

2. Review survey materials and the compilation of survey information;

3. Annually review the number, location, cost, and reimbursement of graduate medical education programs and positions;

4. Provide recommendations to the department regarding the survey completed by physicians licensed under chapter 458 or chapter 459;

5. Assist the department in preparing the annual report to the Legislature pursuant to ss. 458.3192 and 459.0082;

6. Assist the department in preparing an initial strategic plan, conduct ongoing strategic planning in accordance with this section, and provide ongoing advice on implementing the recommendations;

7. Monitor and provide recommendations regarding the need for an increased number of primary care or other physician specialties to provide the necessary current and projected health and medical services for the state; and

8. Monitor and make recommendations regarding the status of the needs relating to graduate medical education in this state.

Section 30. Section 458.3192, Florida Statutes, is amended to read:

458.3192 Analysis of survey results; report.—

(1) Each year, the Department of Health shall analyze the results of the physician survey required by s. 458.3191 and determine by geographic area and specialty the number of physicians who:

(a) Perform deliveries of children in *this state* ~~Florida~~.

(b) Read mammograms and perform breast-imaging-guided procedures in *this state* ~~Florida~~.

(c) Perform emergency care on an on-call basis for a hospital emergency department.

(d) Plan to reduce or increase emergency on-call hours in a hospital emergency department.

(e) Plan to relocate ~~their allopathic or osteopathic practice~~ outside the state.

(f) Practice medicine in this state.

(g) Plan to reduce or modify the scope of their practice.

(2) The Department of Health must report its findings to the Governor, the President of *the* Senate, and the Speaker of the House of Representatives by November 1 each year. *The department shall also include in its report findings, recommendations, and strategic planning activities as provided in s. 381.4018. The department may also include other information requested by the Physician Workforce Advisory Council.*

Section 31. Section 459.0082, Florida Statutes, is amended to read:

459.0082 Analysis of survey results; report.—

(1) Each year, the Department of Health shall analyze the results of the physician survey required by s. 459.0081 and determine by geographic area and specialty the number of physicians who:

(a) Perform deliveries of children in *this state* ~~Florida~~.

(b) Read mammograms and perform breast-imaging-guided procedures in *this state* ~~Florida~~.

(c) Perform emergency care on an on-call basis for a hospital emergency department.

(d) Plan to reduce or increase emergency on-call hours in a hospital emergency department.

(e) Plan to relocate ~~their allopathic or osteopathic practice~~ outside the state.

(f) Practice medicine in this state.

(g) Plan to reduce or modify the scope of their practice.

(2) The Department of Health must report its findings to the Governor, the President of *the* Senate, and the Speaker of the House of Representatives by November 1 each year. *The department shall also include in its report findings, recommendations, and strategic planning activities as provided in s. 381.4018. The department may also include other information requested by the Physician Workforce Advisory Council.*

Section 32. Section 458.315, Florida Statutes, is amended to read:

458.315 Temporary certificate for practice in areas of critical need.—

(1) Any physician who*:*

(a) Is licensed to practice in any *jurisdiction in the United States and* ~~other state,~~ whose license is currently valid*; or*~~,~~

(b) Has served as a physician in the United States Armed Forces for at least 10 years and received an honorable discharge from the military;

and who pays an application fee of $300 may be issued a temporary certificate *for* ~~to~~ practice in *areas of* ~~communities of Florida where there is a~~ critical need ~~for physicians~~.

(2) A certificate may be issued to a physician who*:*

(a) Will practice in an area of critical need;

(b) Will be employed by *or practice in* a county health department, correctional facility, *Department of Veterans' Affairs clinic,* community health center funded by s. 329, s. 330, or s. 340 of the United States Public Health Services Act, or other *agency or institution that is approved by the State Surgeon General and provides health care to meet the needs of underserved populations in this state; or*

(c) Will practice for a limited time to address critical physician-specialty, demographic, or geographic needs for this state's physician workforce as determined by the State Surgeon General ~~entity that provides health care to indigents and that is approved by the State Health Officer~~.

(3) The Board of Medicine may issue this temporary certificate with the following restrictions:

(a)~~(1)~~ The *State Surgeon General* ~~board~~ shall determine the areas of critical need~~, and the physician so certified may practice in any of those areas for a time to be determined by the board~~. Such areas ~~shall~~ include, but *are* not ~~be~~ limited to, health professional shortage areas designated by the United States Department of Health and Human Services.

1.~~(a)~~ A recipient of a temporary certificate for practice in areas of critical need may use the *certificate* ~~license~~ to work for any approved *entity* ~~employer~~ in any area of critical need *or as authorized by the State Surgeon General* ~~approved by the board~~.

2.~~(b)~~ The recipient of a temporary certificate for practice in areas of critical need shall, within 30 days after accepting employment, notify the board of all approved institutions in which the licensee practices and of all approved institutions where practice privileges have been denied.

(b)~~(2)~~ The board may administer an abbreviated oral examination to determine the physician's competency, but *a* ~~no~~ written regular examination is *not required* ~~necessary~~. Within 60 days after receipt of an application for a temporary certificate, the board shall review the application and issue the temporary certificate*,* ~~or~~ notify the applicant of denial*, or notify the applicant that the board recommends additional assessment, training, education, or other requirements as a condition of certification. If the applicant has not actively practiced during the prior 3 years and the board determines that the applicant may lack clinical competency, possess diminished or inadequate skills, lack necessary medical knowledge, or exhibit patterns of deficits in clinical decisionmaking, the board may:*

1. Deny the application;

2. Issue a temporary certificate having reasonable restrictions that may include, but are not limited to, a requirement for the applicant to practice under the supervision of a physician approved by the board; or

3. Issue a temporary certificate upon receipt of documentation confirming that the applicant has met any reasonable conditions of the board which may include, but are not limited to, completing continuing education or undergoing an assessment of skills and training.

(c)~~(3)~~ Any certificate issued under this section *is* ~~shall be~~ valid only so long as the *State Surgeon General determines that the reason* ~~area~~ for which it *was* ~~is~~ issued remains *a* ~~an area of~~ critical need *to the state*. The Board of Medicine shall review *each temporary certificateholder not* ~~the service within said area not~~ less than annually to ascertain that the minimum requirements of the Medical Practice Act and *its adopted* ~~the~~ rules ~~and regulations promulgated thereunder~~ are being complied with. If it is determined that such minimum requirements are not being met, the board shall ~~forthwith~~ revoke such certificate *or shall impose restrictions or conditions, or both, as a condition of continued practice under the certificate*.

(d)~~(4)~~ The board *may* ~~shall~~ not issue a temporary certificate for practice in an area of critical need to any physician who is under investigation in *any jurisdiction in the United States* ~~another state~~ for an act *that* ~~which~~ would constitute a violation of this chapter until such time as the investigation is complete, at which time the provisions of s. 458.331 ~~shall~~ apply.

(4)~~(5)~~ The application fee and all licensure fees, including neurological injury compensation assessments, shall be waived for those persons obtaining a temporary certificate to practice in areas of critical need for the purpose of providing volunteer, uncompensated care for low-income *residents* ~~Floridians~~. The applicant must submit an affidavit from the employing agency or institution stating that the physician will not receive any compensation for any service involving the practice of medicine.

Section 33. Section 459.0076, Florida Statutes, is created to read:

459.0076 Temporary certificate for practice in areas of critical need.—

(1) Any physician who:

(a) Is licensed to practice in any jurisdiction in the United States and whose license is currently valid; or

(b) Has served as a physician in the United States Armed Forces for at least 10 years and received an honorable discharge from the military;

and who pays an application fee of $300 may be issued a temporary certificate for practice in areas of critical need.

(2) A certificate may be issued to a physician who:

(a) Will practice in an area of critical need;

(b) Will be employed by or practice in a county health department, correctional facility, Department of Veterans' Affairs clinic, community health center funded by s. 329, s. 330, or s. 340 of the United States Public Health Services Act, or other agency or institution that is approved by the State Surgeon General and provides health care to meet the needs of underserved populations in this state; or

(c) Will practice for a limited time to address critical physician-specialty, demographic, or geographic needs for this state's physician workforce as determined by the State Surgeon General.

(3) The Board of Osteopathic Medicine may issue this temporary certificate with the following restrictions:

(a) The State Surgeon General shall determine the areas of critical need. Such areas include, but are not limited to, health professional shortage areas designated by the United States Department of Health and Human Services.

1. A recipient of a temporary certificate for practice in areas of critical need may use the certificate to work for any approved entity in any area of critical need or as authorized by the State Surgeon General.

2. The recipient of a temporary certificate for practice in areas of critical need shall, within 30 days after accepting employment, notify the board of all approved institutions in which the licensee practices and of all approved institutions where practice privileges have been denied.

(b) The board may administer an abbreviated oral examination to determine the physician's competency, but a written regular examination is not required. Within 60 days after receipt of an application for a temporary certificate, the board shall review the application and issue the temporary certificate, notify the applicant of denial, or notify the applicant that the board recommends additional assessment, training, education, or other requirements as a condition of certification. If the applicant has not actively practiced during the prior 3 years and the board determines that the applicant may lack clinical competency, possess diminished or inadequate skills, lack necessary medical knowledge, or exhibit patterns of deficits in clinical decisionmaking, the board may:

1. Deny the application;

2. Issue a temporary certificate having reasonable restrictions that may include, but are not limited to, a requirement for the applicant to practice under the supervision of a physician approved by the board; or

3. Issue a temporary certificate upon receipt of documentation confirming that the applicant has met any reasonable conditions of the board which may include, but are not limited to, completing continuing education or undergoing an assessment of skills and training.

(c) Any certificate issued under this section is valid only so long as the State Surgeon General determines that the reason for which it was issued remains a critical need to the state. The Board of Osteopathic Medicine shall review each temporary certificateholder not less than annually to ascertain that the minimum requirements of the Osteopathic Medical Practice Act and its adopted rules are being complied with. If it is determined that such minimum requirements are not being met, the board shall revoke such certificate or shall impose restrictions or conditions, or both, as a condition of continued practice under the certificate.

(d) The board may not issue a temporary certificate for practice in an area of critical need to any physician who is under investigation in any jurisdiction in the United States for an act that would constitute a violation of this chapter until such time as the investigation is complete, at which time the provisions of s. 459.015 apply.

(4) The application fee and all licensure fees, including neurological injury compensation assessments, shall be waived for those persons obtaining a temporary certificate to practice in areas of critical need for the purpose of providing volunteer, uncompensated care for low-income residents. The applicant must submit an affidavit from the employing agency or institution stating that the physician will not receive any compensation for any service involving the practice of medicine.

Section 34. *(1) The Department of Health shall conduct an evaluation and justification review of each division established under s. 20.43, Florida Statutes. The review shall be comprehensive in its scope and, at a minimum, must be conducted in such a manner as to specifically determine the following, and to consider and determine what changes, if any, are needed with respect thereto:*

(a) The identifiable cost of each division and programs within the division.

(b) The specific purpose of each division and programs within the division, and the specific public health benefit derived therefrom.

(c) Progress toward achieving the outputs and outcomes associated with each division and programs within the division.

(d) An explanation of circumstances contributing to the department's ability to achieve, not achieve, or exceed its projected outputs and outcomes, as defined in s. 216.011, associated with each division and programs within the division.

(e) Alternate courses of action that would result in administration of the same program in a more efficient or effective manner. The courses of action to be considered must include, but are not limited to:

1. Whether the department could be organized in a more efficient and effective manner, including whether each division's mission, goals, or objectives should be redefined. The report must include a rationale for each department division and programs within the division, the return on investment of each division and programs within the division, the relatedness of the division and programs within the division to a public health function, and any federal funding support for each division and programs within the division. The review should recommend the reduction and restructuring of department bureaus and divisions.

2. Whether the division and programs within the division could be administered more efficiently or effectively to avoid duplication of activities and ensure that activities are adequately coordinated.

3. Whether the division and programs within that division could be performed more efficiently or more effectively by another unit of government or a private entity.

4. When compared to costs, whether effectiveness warrants elimination of the division or programs within the division or, if the division or a program within the division serves a limited interest, whether the division or program should be redesigned to require users to finance program costs.

5. Whether the cost to administer the division or program within the division exceeds license and other fee revenues paid by those being regulated.

6. Whether other changes could improve the efficiency and effectiveness of the division or program within the division.

(f) The consequences of discontinuing such division or programs within the division. If any discontinuation is recommended, such recommendation must be accompanied by a description of alternatives to implement such recommendation, including an implementation schedule for discontinuation and recommended procedures for assisting state agency employees affected by the discontinuation.

(g) Whether current performance measures and standards should be reviewed or amended to assist department efforts in achieving outputs and outcome measures.

(h) Whether the information reported as part of the state's performance-based program budgeting system has relevance and utility for the evaluation of each division and programs within the division.

(i) Whether department management has established control systems sufficient to ensure that performance data are maintained and supported by department records and accurately presented in department performance reports.

(3) No later than March 1, 2011, the department shall submit a report on its evaluation and justification review findings and recommendations to the President of the Senate, the Speaker of the House of Representatives, the chairs of the appropriate substantive committees, the chairs of the appropriations committees, the Legislative Auditing Committee, the Governor, and the State Surgeon General.

Section 35. Subsection (3) is added to section 381.00315, Florida Statutes, to read:

381.00315 Public health advisories; public health emergencies.—The State Health Officer is responsible for declaring public health emergencies and issuing public health advisories.

(3) To facilitate effective emergency management, when the United States Department of Health and Human Services contracts for the manufacture and delivery of licensable products in response to a public health emergency and the terms of those contracts are made available to the states, the department shall accept funds provided by counties, municipalities, and other entities designated in the state emergency management plan required under s. 252.35(2)(a) for the purpose of participation in those contracts. The department shall deposit those funds in the Grants and Donations Trust Fund and expend those funds on behalf of the donor county, municipality, or other entity for the purchase of the licensable products made available under the contract.

Section 36. *For fiscal year 2010-2011 only, and notwithstanding s. 216.181, Florida Statutes, the Department of Health is authorized to submit a budget amendment requesting additional Grants and Donations Trust Fund budget authority for the Florida Center for Nursing to make expenditures supported by grants and donations.*

Section 37. Paragraph (a) of subsection (1) of section 409.9201, Florida Statutes, is amended to read:

409.9201 Medicaid fraud.—

(1) As used in this section, the term:

(a) "Prescription drug" means any drug, including, but not limited to, finished dosage forms or active ingredients that are subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or by s. 465.003(8), s. 499.003*(46)*~~(45)~~ or *(53)* ~~(52),~~ or s. 499.007(13).

The value of individual items of the legend drugs or goods or services involved in distinct transactions committed during a single scheme or course of conduct, whether involving a single person or several persons, may be aggregated when determining the punishment for the offense.

Section 38. Subsection (3) of section 465.0265, Florida Statutes, is amended to read:

465.0265 Centralized prescription filling.—

(3) The filling, delivery, and return of a prescription by one pharmacy for another pursuant to this section shall not be construed as the filling of a transferred prescription as set forth in s. 465.026 or as a wholesale distribution as set forth in s. 499.003*(54)*~~(53)~~.

Section 39. Paragraph (g) of subsection (2) of section 499.01, Florida Statutes, are amended to read:

499.01 Permits.—

(2) The following permits are established:

(g) Restricted prescription drug distributor permit.—A restricted prescription drug distributor permit is required for any person that engages in the distribution of a prescription drug, which distribution is not considered "wholesale distribution" under s. 499.003*(54)*~~(53)~~(a).

1. A person who engages in the receipt or distribution of a prescription drug in this state for the purpose of processing its return or its destruction must obtain a permit as a restricted prescription drug distributor if such person is not the person initiating the return, the prescription drug wholesale supplier of the person initiating the return, or the manufacturer of the drug.

2. Storage, handling, and recordkeeping of these distributions must comply with the requirements for wholesale distributors under s. 499.0121, but not those set forth in s. 499.01212.

3. A person who applies for a permit as a restricted prescription drug distributor, or for the renewal of such a permit, must provide to the department the information required under s. 499.012.

4. The department may adopt rules regarding the distribution of prescription drugs by hospitals, health care entities, charitable organizations, or other persons not involved in wholesale distribution, which rules are necessary for the protection of the public health, safety, and welfare.

Section 40. Paragraph (d) of subsection (4) 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.

(4) EXAMINATION OF MATERIALS AND RECORDS.—

(d) Upon receipt, a wholesale distributor must review records required under this section for the acquisition of prescription drugs for accuracy and completeness, considering the total facts and circumstances surrounding the transactions and the wholesale distributors involved. This includes authenticating each transaction listed on a pedigree paper, as defined in s. 499.003*(37)*~~(36)~~.

Section 41. Paragraphs (a) and (b) of subsection (2) of section 499.01211, Florida Statutes, are amended to read:

499.01211 Drug Wholesale Distributor Advisory Council.—

(2) The State Surgeon General, or his or her designee, and the Secretary of Health Care Administration, or her or his designee, shall be members of the council. The State Surgeon General shall appoint nine additional members to the council who shall be appointed to a term of 4 years each, as follows:

(a) Three different persons each of whom is employed by a different prescription drug wholesale distributor licensed under this part which operates nationally and is a primary wholesale distributor, as defined in s. 499.003*(47)*~~(46)~~.

(b) One person employed by a prescription drug wholesale distributor licensed under this part which is a secondary wholesale distributor, as defined in s. 499.003*(52)*~~(51)~~.

Section 42. Subsection (1) of section 499.03, Florida Statutes, is amended to read:

499.03 Possession of certain drugs without prescriptions unlawful; exemptions and exceptions.—

(1) A person may not possess, or possess with intent to sell, dispense, or deliver, any habit-forming, toxic, harmful, or new drug subject to s. 499.003*(33)*~~(32)~~, or prescription drug as defined in s. 499.003*(43)*~~(42)~~, unless the possession of the drug has been obtained by a valid prescription of a practitioner licensed by law to prescribe the drug. However, this section does not apply to the delivery of such drugs to persons included in any of the classes named in this subsection, or to the agents or employees of such persons, for use in the usual course of their businesses or practices or in the performance of their official duties, as the case may be; nor does this section apply to the possession of such drugs by those persons or their agents or employees for such use:

(a) A licensed pharmacist or any person under the licensed pharmacist's supervision while acting within the scope of the licensed pharmacist's practice;

(b) A licensed practitioner authorized by law to prescribe prescription drugs or any person under the licensed practitioner's supervision while acting within the scope of the licensed practitioner's practice;

(c) A qualified person who uses prescription drugs for lawful research, teaching, or testing, and not for resale;

(d) A licensed hospital or other institution that procures such drugs for lawful administration or dispensing by practitioners;

(e) An officer or employee of a federal, state, or local government; or

(f) A person that holds a valid permit issued by the department pursuant to this part which authorizes that person to possess prescription drugs.

Section 43. Paragraphs (i) and (m) of subsection (1) of section 499.05, Florida Statutes, are amended to read:

499.05 Rules.—

(1) The department shall adopt rules to implement and enforce this part with respect to:

(i) Additional conditions that qualify as an emergency medical reason under s. 499.003*(54)*~~(53)~~(b)2.

(m) The recordkeeping, storage, and handling with respect to each of the distributions of prescription drugs specified in s. 499.003*(54)*~~(53)~~(a)-(d).

Section 44. Subsection (1) of section 794.075, Florida Statutes, is amended to read:

794.075 Sexual predators; erectile dysfunction drugs.—

(1) A person may not possess a prescription drug, as defined in s. 499.003*(43)*~~(42)~~, for the purpose of treating erectile dysfunction if the person is designated as a sexual predator under s. 775.21.

Section 45. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2010.

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 Health; amending s. 20.435, F.S.; revising provisions for administration and use of funds in the Administrative Trust Fund and the Emergency Medical Services Trust Fund; providing for such administration and use under specified provisions; amending ss. 318.14, 318.18, and 318.21, F.S.; providing that funds collected from disposition of certain motor vehicle infractions shall be deposited into the Emergency Medical Services Trust Fund; removing provisions for

deposit of such funds into the Administrative Trust Fund; providing for use of the funds; correcting a reference; amending ss. 320.131, 327.35, 381.765, and 938.07, F.S.; correcting references to the Brain and Spinal Cord Injury Program Trust Fund; amending ss. 381.78 and 381.79, F.S.; correcting references; amending s. 395.403, F.S., relating to reimbursement of trauma centers; revising eligibility provisions to remove provisional trauma centers and certain hospitals; providing for payments to be made from the Emergency Medical Services Trust Fund; removing provisions for one-time payments from the Administrative Trust Fund; amending s. 395.4036, F.S.; providing for use of funds in the Emergency Medical Services Trust Fund for verified trauma centers; removing provisions for such use of funds in the Administrative Trust Fund; reenacting and amending s. 215.5602, F.S., relating to James and Esther King Biomedical Research Program; specifying that a certain amount of the revenue deposited into the Health Care Trust Fund be reserved for tobacco-related and cancer-related research; providing for specified amounts of revenue to be appropriated to the James and Esther King Biomedical Research Program, the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and the H. Lee Moffitt Cancer Center and Research Institute; deleting obsolete language; reenacting and amending s. 381.922, F.S., relating to William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing that the program give emphasis to certain goals; specifying sources of funding for the program; providing for a portion of the funds to be made available to the Florida Center for Universal Research to Eradicate Disease; deleting obsolete language; amending s. 20.43, F.S.; removing a provision authorizing division directors in the Department of Health to appoint certain committees; prohibiting the department from establishing new programs or modifying current programs without legislative approval; requiring the department to notify the Governor and the Legislature before applying for continuation of or new federal or private grants over a specified amount; providing for content of the notification; amending s. 381.0011, F.S.; requiring the department to manage emergency preparedness and disaster response functions; amending s. 381.006, F.S.; revising the definition of the term "group care facility;" revising rulemaking authority; amending s. 381.0072, F.S.; revising the definition of the term "food service establishment;" authorizing the department to advise and consult with other agencies concerning the provision of food services; revising entities that are exempt from rules developed for manager certification; repealing ss. 411.23, 411.231, and 411.232, F.S., relating to the Children's Early Investment Program; amending ss. 411.01 and 411.224, F.S.; conforming provisions to changes made by the act; amending s. 499.003, F.S.; defining the term "medical convenience kit" for purposes of the Florida Drug and Cosmetic Act; correcting cross-references; amending s. 499.01, F.S.; providing exceptions from requirements for a device manufacturer permit; amending s. 499.01212, F.S.; exempting wholesale distribution of prescription drugs within a medical convenience kit from requirements for the wholesaler to provide a pedigree paper if certain conditions are met; providing that the exemption does not apply to a kit containing certain controlled substances; amending s. 509.013, F.S.; revising exclusions to the definition of the terms "public lodging establishment" and "public food service establishment" to provide for certain facilities certified or licensed by the Agency for Health Care Administration or the Department of Children and Family Services; requiring the department to develop a plan to provide tuberculosis services; requiring the department to submit the plan to the Governor and Legislature by a specified date; providing plan elements; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Department of Health to the Department of Business and Professional Regulation by a type two transfer; providing for the continued validity of pending judicial or administrative actions to which the Department of Health is a party; providing for the continued validity of lawful orders issued by the Department of Health; transferring rules created by the Department of Health to the Department of Business and Professional Regulation; providing for the continued validity of permits and certifications issued by the Department of Health; amending s. 381.0403, F.S., deleting provisions relating to the program for graduate medical education innovations and the graduate medical education committee and report; conforming a cross-reference; amending s. 381.4018, F.S.; revising provisions for physician workforce assessment and development; providing definitions; creating the Physician Workforce Advisory Council; providing for membership and organization; providing duties of the council; amending ss. 458.3192 and 459.0082, F.S.; revising provisions for analysis by the department of physician surveys under specified provisions; amending s. 458.315; revising provisions for issuance by the Board of Medicine of a temporary certificate to practice medicine in certain areas; creating s. 459.0076, F.S.; providing for issuance by the Board of Osteopathic Medicine of a temporary certificate to practice osteopathic medicine in certain areas; directing the department to conduct an evaluation and justification review of its divisions; providing review requirements; requiring the department to submit a report to the Governor, the Legislature, and the State Surgeon General by a specified date; amending s. 381.00315, F.S.; directing the Department of Health to accept funds from counties, municipalities, and certain other entities for the purchase of certain products made available under a contract with the United States Department of Health and Human Services for the manufacture and delivery of such products in response to a public health emergency; authorizing the department to submit a budget amendment requesting additional budget authority for the Florida Center for Nursing to make certain expenditures; amending ss. 409.9201, 465.0265, 499.01, 499.01211, 499.01212, 499.03, 499.05, and 794.075, F.S.; correcting cross-references; providing effective dates.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5311** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Ring
Aronberg	Gardiner	Siplin
Baker	Gelber	Smith
Bennett	Haridopolos	Sobel
Bullard	Hill	Storms
Constantine	Jones	Thrasher
Crist	Joyner	Villalobos
Dean	Justice	Wilson
Detert	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Negron	

Nays—None

Vote after roll call:

Yea—Rich

The Honorable Jeff Atwater, 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 5301, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5301

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5301, same being:

An act relating to Medicaid services.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise
s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Denise Grimsley
Chair
s/ Gary Aubuchon, At Large
Charles S. "Chuck" Chestnut IV
s/ Clay Ford
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Matt Hudson
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Will W. Weatherford, At Large
s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
Yolly Roberson
Kelly Skidmore
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5301, relating to Medicaid Services:

- Revises the method by which the Agency for Health Care Administration (agency) shall assess fees used for nursing home Medicaid underpayments and overpayments.

- Modifies the nursing home staffing requirements to allow for a combined direct care staffing requirement of 3.9 hours per resident per day.

- Extends the sunset date for the Medicaid Aged and Disabled (Meds-AD) and Medically Needy programs to June 30, 2011.

- Authorizes the agency to enroll Medicare cross-over providers for payment and claims purposes only.

- Clarifies the use of the quality assessment on nursing home facilities and authorizes the use of quality assessments to restore rate reductions as specified in the General Appropriations Act.

- Clarifies the use of the quality assessment on privately operated intermediate care facilities for the developmentally disabled and authorizes the use of quality assessments to restore rate reductions as specified in the General Appropriations Act.

- Revises the years of audited data used in determining Medicaid and charity care days for each hospital in the Disproportionate Share program from 2003, 2004, and 2005 to 2004, 2005, and 2006; to change the fiscal year that the audited data is used to distribute funding through the Disproportionate Share program from Fiscal Year 2009-2010 to Fiscal Year 2010-2011; and provides the formula for the distribution of disproportionate share dollars to provider service network hospitals.

- Continues the prohibition of the distribution of funds through the Regional Prenatal Intensive Care Disproportionate Share program in Fiscal Year 2010-2011.

- Authorizes disproportionate share payments to statutorily defined teaching hospitals and family practice teaching hospitals in Fiscal Year 2010-2011; and allows the distribution of funds for statutorily defined teaching hospitals to be distributed as provided in the General Appropriations Act.

- Continues the prohibition of the distribution of funds through the Primary Care Disproportionate Share program in Fiscal Year 2010-2011.

- Authorizes the agency in consultation with the Department of Elder Affairs to accept and forward an application for the expansion of Program of All-inclusive Care for the Elderly (PACE) services to the Centers for Medicare and Medicaid Services for a site to provide comprehensive services including hospice and palliative care services to frail and elderly persons residing in Polk, Highlands, Hardee, and Hillsborough counties.

- Authorizes the agency in consultation with the Department of Elder Affairs to accept and forward an application for the expansion of Program of All-inclusive Care for the Elderly (PACE) services to the Centers for Medicare and Medicaid Services for a site to provide comprehensive services to frail and elderly persons residing in Southwest Miami-Dade.

- Authorizes the agency to develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in agency areas 9, 10, and 11.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment (286391)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (o) of subsection (1) of section 400.141, Florida Statutes, is amended to read:

400.141 Administration and management of nursing home facilities.—

(1) Every licensed facility shall comply with all applicable standards and rules of the agency and shall:

(o)1. 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:

a. Staff-to-resident ratios must be reported in the categories specified in s. 400.23(3)(a) and applicable rules. The ratio must be reported as an average for the most recent calendar quarter.

b. Staff turnover must be reported for the most recent 12-month period ending on the last workday of the most recent calendar quarter prior to the date the information is submitted. The turnover rate must be computed quarterly, with the annual rate being the cumulative sum of the quarterly rates. The turnover rate is the total number of terminations or separations experienced during the quarter, excluding any employee terminated during a probationary period of 3 months or less, divided by the total number of staff employed at the end of the period for which the rate is computed, and expressed as a percentage.

c. The formula for determining staff stability is the total number of employees that have been employed for more than 12 months, divided by the total number of employees employed at the end of the most recent calendar quarter, and expressed as a percentage.

d. A nursing facility that has failed to comply with state minimum-staffing requirements for 2 consecutive days is prohibited from accepting new admissions until the facility has achieved the minimum-staffing requirements for a period of 6 consecutive days. For the purposes of this sub-subparagraph, any person who was a resident of the facility and was absent from the facility for the purpose of receiving medical care at a separate location or was on a leave of absence is not considered a new

admission. Failure to impose such an admissions moratorium constitutes a class II deficiency.

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.b. and c.* ~~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.

f. A facility which has a conditional license must be in compliance with the standards in s. 400.23(3)(a) at all times.

2. This paragraph does not 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.

Section 2. Paragraph (d) of subsection (2) of section 400.179, Florida Statutes, is amended to read:

400.179 Liability for Medicaid underpayments and overpayments.—

(2) 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' 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 annually thereafter, in the amount of 1 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 Grants and Donations 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. *By March 31 of each year, the agency shall assess the cumulative fees collected under this subparagraph, minus any amounts used to repay nursing home Medicaid overpayments and amounts transferred to contribute to the General Revenue Fund pursuant to s. 215.20. If the net cumulative collections, minus amounts utilized to repay nursing home Medicaid overpayments, exceed $25 million, the provisions of this subparagraph shall not apply for the subsequent fiscal year.*

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.

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, revoke, and 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 pursuant to part II of chapter 408, 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 3. 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 weekly average of certified nursing assistant and licensed nursing staffing combined of 3.9 hours of direct care per resident per day. As used in this sub-subparagraph, a week is defined as Sunday through Saturday.

b. A minimum certified nursing assistant staffing of 2.7 hours of direct care per resident per day. A facility may not staff below one certified nursing assistant per 20 residents.

c. A minimum licensed nursing staffing of 1.0 hour of direct care per resident per day. A facility may not staff below one licensed nurse per 40 residents.

~~a. A minimum certified nursing assistant staffing of 2.6 hours of direct care per resident per day beginning January 1, 2003, and increasing to 2.7 hours of direct care per resident per day beginning January 1, 2007. 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 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.

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 4. Subsections (1) and (2) of section 409.904, Florida Statutes, are 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.

(1) Effective January 1, 2006, and subject to federal waiver approval, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of the federal poverty level, whose assets do not exceed established limitations, and who is not eligible for Medicare or, if eligible for Medicare, is also eligible for and receiving Medicaid-covered institutional care services, hospice services, or home and community-based services. The agency shall seek federal authorization through a waiver to provide this coverage. This subsection expires *June 30, 2011* ~~December 31, 2010~~.

(2)(a) A family, a pregnant woman, a child under age 21, a person age 65 or over, or a blind or disabled person, who would be eligible under any group listed in s. 409.903(1), (2), or (3), except that the income or assets of such family or person exceed established limitations. For a family or person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to make a determination of eligibility. A family or person eligible under the coverage known as the "medically needy," is eligible to receive the same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled. This paragraph expires *June 30, 2011* ~~December 31, 2010~~.

(b) Effective *July 1, 2011* ~~January 1, 2011~~, a pregnant woman or a child younger than 21 years of age who would be eligible under any group listed in s. 409.903, except that the income or assets of such group exceed established limitations. For a person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to make a determination of eligibility. A person eligible under the coverage known as the "medically needy" is eligible to receive the same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled.

Section 5. Paragraph (f) is added to subsection (5) of section 409.905, Florida Statutes, 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.

(f) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

Section 6. Paragraphs (d) and (e) are added to subsection (5) of section 409.907, Florida Statutes, 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.

(5) The agency:

(d) May enroll entities as Medicare crossover-only providers for payment and claims processing purposes only. The provider agreement shall:

1. Require that the provider be able to demonstrate to the satisfaction of the agency that the provider is an eligible Medicare provider and has a current provider agreement in place with the Centers for Medicare and Medicaid Services.

2. Require the provider to notify the agency immediately in writing upon being suspended or disenrolled as a Medicare provider. If the provider does not provide such notification within 5 business days after suspension or disenrollment, sanctions may be imposed pursuant to this chapter and the provider may be required to return funds paid to the provider during the period of time that the provider was suspended or disenrolled as a Medicare provider.

3. Require that all records pertaining to health care services provided to each of the provider's recipients be kept for a minimum of 6 years. The agreement shall also require that records and any information relating to payments claimed by the provider for services under the agreement be delivered to the agency or the Office of the Attorney General Medicaid Fraud Control Unit when requested. If a provider does not provide such records and information when requested, sanctions may be imposed pursuant to this chapter.

4. Disclose that the agreement is for the purposes of paying and processing Medicare crossover claims only.

This paragraph pertains solely to Medicare crossover-only providers. In order to become a standard Medicaid provider, the requirements of this section and applicable rules must be met.

(e) Providers that are required to post a surety bond as part of the Medicaid enrollment process are excluded for enrollment under paragraph (d).

Section 7. Subsection (24) is added to section 409.908, Florida Statutes, 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.

(24) If a provider fails to notify the agency within 5 business days after suspension or disenrollment from Medicare, sanctions may be im-

posed pursuant to this chapter and the provider may be required to return funds paid to the provider during the period of time that the provider was suspended or disenrolled as a Medicare provider.

Section 8. Subsection (4) of section 409.9082, Florida Statutes, is amended to read:

409.9082 Quality assessment on nursing home facility providers; exemptions; purpose; federal approval required; remedies.—

(4) The purpose of the nursing home facility quality assessment is to ensure continued quality of care. Collected assessment funds shall be used to obtain federal financial participation through the Medicaid program to make Medicaid payments for nursing home facility services up to the amount of nursing home facility Medicaid rates as calculated in accordance with the approved state Medicaid plan in effect on December 31, 2007. The quality assessment and federal matching funds shall be used exclusively for the following purposes and in the following order of priority:

(a) To reimburse the Medicaid share of the quality assessment as a pass-through, Medicaid-allowable cost;

(b) To increase to each nursing home facility's Medicaid rate, as needed, an amount that restores ~~the~~ rate reductions *effective on or after* ~~implemented~~ January 1, 2008*, as provided in the General Appropriations Act*~~; January 1, 2009; and March 1, 2009~~; *and*

~~(c) To increase to each nursing home facility's Medicaid rate, as needed, an amount that restores any rate reductions for the 2009-2010 fiscal year; and~~

(c)~~(d)~~ To increase each nursing home facility's Medicaid rate that accounts for the portion of the total assessment not included in paragraphs *(a) and (b)* ~~(a)-(c)~~ which begins a phase-in to a pricing model for the operating cost component.

Section 9. Subsection (3) of section 409.9083, Florida Statutes, is amended to read:

409.9083 Quality assessment on privately operated intermediate care facilities for the developmentally disabled; exemptions; purpose; federal approval required; remedies.—

(3) The purpose of the facility quality assessment is to ensure continued quality of care. Collected assessment funds shall be used to obtain federal financial participation through the Medicaid program to make Medicaid payments for ICF/DD services up to the amount of the Medicaid rates for such facilities as calculated in accordance with the approved state Medicaid plan in effect on April 1, 2008. The quality assessment and federal matching funds shall be used exclusively for the following purposes and in the following order of priority to:

(a) Reimburse the Medicaid share of the quality assessment as a pass-through, Medicaid-allowable cost.

(b) Increase each privately operated ICF/DD Medicaid rate, as needed, by an amount that restores ~~the~~ rate reductions *effective on or after* ~~implemented on~~ October 1, 2008*, as provided in the General Appropriations Act*.

~~(c) Increase each ICF/DD Medicaid rate, as needed, by an amount that restores any rate reductions for the 2008-2009 fiscal year and the 2009-2010 fiscal year.~~

(c)~~(d)~~ Increase payments to such facilities to fund covered services to Medicaid beneficiaries.

Section 10. Paragraph (a) of subsection (2) and subsection (5) 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 2003, 2004, and 2005 audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2010-2011* ~~2009-2010~~ state fiscal year.

(5) The following formula shall be used to pay disproportionate share dollars to provider service network (PSN) hospitals:

DSHP = TAAPSNH x (*IHPSND / THPSND* ~~IHPSND x THPSND~~)

Where:

DSHP = Disproportionate share hospital payments.

TAAPSNH = Total amount available for PSN hospitals.

IHPSND = Individual hospital PSN days.

THPSND = Total of all hospital PSN days.

For purposes of this subsection, the PSN inpatient days shall be provided in the General Appropriations Act.

Section 11. Section 409.9112, Florida Statutes, is amended to read:

409.9112 Disproportionate share program for regional perinatal intensive care centers.—In addition to the payments made under s. 409.911, the agency shall design and implement a system for making disproportionate share payments to those hospitals that participate in the regional perinatal intensive care center program established pursuant to chapter 383. The system of payments must conform to federal requirements and 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 *2010-2011* ~~2009-2010~~ state fiscal year, the agency may not distribute moneys under the regional perinatal intensive care centers disproportionate share program.

(1) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the regional perinatal intensive care center program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a regional perinatal intensive care center.

HDSP = the prior state fiscal year regional perinatal intensive care center disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total regional perinatal intensive care center disproportionate share payments to all hospitals.

(2) The total additional payment for hospitals that participate in the regional perinatal intensive care center program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a regional perinatal intensive care center.

TAE = total amount earned by a regional perinatal intensive care center.

TA = total appropriation for the regional perinatal intensive care center disproportionate share program.

(3) In order to receive payments under this section, a hospital must be participating in the regional perinatal intensive care center program pursuant to chapter 383 and must meet the following additional requirements:

(a) Agree to conform to all departmental and agency requirements to ensure high quality in the provision of services, including criteria adopted by departmental and agency rule concerning staffing ratios, medical records, standards of care, equipment, space, and such other standards and criteria as the department and agency deem appropriate as specified by rule.

(b) Agree to provide information to the department and agency, in a form and manner to be prescribed by rule of the department and agency, concerning the care provided to all patients in neonatal intensive care centers and high-risk maternity care.

(c) Agree to accept all patients for neonatal intensive care and high-risk maternity care, regardless of ability to pay, on a functional space-available basis.

(d) Agree to develop arrangements with other maternity and neonatal care providers in the hospital's region for the appropriate receipt and transfer of patients in need of specialized maternity and neonatal intensive care services.

(e) Agree to establish and provide a developmental evaluation and services program for certain high-risk neonates, as prescribed and defined by rule of the department.

(f) Agree to sponsor a program of continuing education in perinatal care for health care professionals within the region of the hospital, as specified by rule.

(g) Agree to provide backup and referral services to the county health departments and other low-income perinatal providers within the hospital's region, including the development of written agreements between these organizations and the hospital.

(h) Agree to arrange for transportation for high-risk obstetrical patients and neonates in need of transfer from the community to the hospital or from the hospital to another more appropriate facility.

(4) Hospitals which fail to comply with any of the conditions in subsection (3) or the applicable rules of the department and agency may not receive any payments under this section until full compliance is achieved. A hospital which is not in compliance in two or more consecutive quarters may not receive its share of the funds. Any forfeited funds shall be distributed by the remaining participating regional perinatal intensive care center program hospitals.

Section 12. 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 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 must conform to federal requirements and 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 *2010-2011* ~~2009-2010~~ state fiscal year, the agency shall 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 or as otherwise provided in the General Appropriations Act. 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 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 the following three primary factors, divided by three:

(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 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 13. Section 409.9117, Florida Statutes, is amended to read:

409.9117 Primary care disproportionate share program.—For the *2010-2011* ~~2009-2010~~ state fiscal year, 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, and 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 hospitals may not be prevented 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 14. *Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly, the Agency for Health Care Administration shall contract with one private health care organization, the sole member of which is a private, not-for-profit corporation that owns and manages health care organizations which provide comprehensive services, including hospice and palliative care services, to frail and elderly persons who reside in Polk, Highlands, Hardee, and Hillsborough Counties. Such an entity shall be exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to appropriation, shall approve up to 150 initial enrollees in the Program of All-inclusive Care for the Elderly established by this organization to serve persons in Polk, Highlands, and Hardee Counties.*

Section 15. *Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of an application for expansion to a new site, the Agency for Health Care Administration shall contract with an Organized Health Care Delivery System (OHCDS) in Miami-Dade County that currently offers benefits pursuant to the Program of All-inclusive Care for the Elderly to provide comprehensive services to frail and elderly persons residing in Southwest Miami-Dade County. Such an entity shall be exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to appropriation, shall approve up to 50 initial enrollees in the Program of All-inclusive Care for the Elderly established by this organization to serve persons in Southwest Miami-Dade County.*

Section 16. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to Medicaid services; amending s. 400.141, F.S.; conforming a cross-reference to changes made by the act; amending s. 400.179, F.S.; revising requirements for nursing home lease bond alternative fees; amending s. 400.23, F.S.; providing for flexibility in how to meet the minimum staffing requirements for nursing home facilities; amending s. 409.904, F.S.; revising the expiration date of provisions authorizing the federal waiver for certain persons age 65 and over or who have a disability; revising the expiration date of provisions authorizing a specified medically needy program; amending s. 409.905, F.S.; authorizing the Agency for Health Care Administration to develop and implement a program to reduce hospital readmissions for a certain population in certain areas of the state; amending s. 409.907, F.S.; authorizing the agency to enroll entities as Medicare crossover-only providers for payment and claims processing purposes only; specifying requirements for Medicare crossover-only agreements; amending s. 409.908, F.S.; providing penalties for providers that fail to report suspension or disenrollment from Medicare within a specified time; amending s. 409.9082, F.S.; revising the purpose of the use of the nursing home facility quality assessment and federal matching funds; amending s. 409.9083, F.S.; revising the purpose of the use of the privately operated intermediate care facilities for the developmentally disabled quality assessment and federal matching funds; amending s. 409.911, F.S.; continuing the audited data specified for use in calculating disproportionate share; revising the formula used to pay disproportionate share dollars to provider service network hospitals; amending s. 409.9112, F.S.; continuing the prohibition against distributing moneys under the perinatal intensive care centers disproportionate share program; amending s. 409.9113, F.S.; continuing authorization for the distribution of moneys to teaching hospitals under the disproportionate share program; amending s. 409.9117, F.S.; continuing the prohibition against distributing moneys under the primary care disproportionate share program; authorizing the agency to contract with an organization to provide certain benefits under a federal program in Polk, Highlands, Hardee, and Hillsborough Counties; providing an exemption from ch. 641, F.S., for the organization; authorizing, subject to appropriation, enrollment slots for the Program of All-inclusive Care for the Elderly in Polk, Highlands, and Hardee Counties; authorizing the agency, subject to appropriation and federal approval of an expansion application, to contract with an Organized Health Care Delivery System in Miami-Dade County to provide certain benefits under a federal program; providing an exemption from ch. 641, F.S., for the Organized Health Care Delivery System; authorizing, subject to appropriation, enrollment slots for the Program of All-inclusive Care for the Elderly in Southwest Miami-Dade County; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5301** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Rich
Altman	Garcia	Ring
Aronberg	Gardiner	Siplin
Baker	Haridopolos	Smith
Bennett	Hill	Sobel
Bullard	Jones	Storms
Constantine	Joyner	Thrasher
Crist	Justice	Villalobos
Dean	Lawson	Wilson
Detert	Lynn	Wise
Diaz de la Portilla	Negron	
Dockery	Oelrich	

Nays—1

Gelber

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5101, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5101

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5101, same being:

An act relating to prekindergarten through grade 12 education funding.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Anitere Flores
Chair
s/ Gary Aubuchon, At Large
Dwight M. Bullard
Gwyndolen "Gwyn" Clarke-Reed
s/ Erik Fresen
Joseph A. "Joe" Gibbons
At Large
s/ John Legg
s/ Ron Reagan, At Large
s/ Kelli Stargel
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ Marti Coley
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
Martin David "Marty" Kiar
s/ Carlos Lopez-Cantera, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for HB 5101, relating to Prekindergarten through Grade 12 Education Funding, provides for the following:

- Provides implementing language for 2010-2011 Class Size Reduction Amendment including:
  - implementation if the amendment is or is not approved by the voters;
  - compliance determination based on the October student enrollment survey;
  - a reduction calculation to class size funding for noncompliant districts which may be adjusted for good cause;
  - a reallocation bonus of up to 5% of the base student allocation for compliant districts;
  - an add-back of all or some of the reduced funds if districts submit a plan to meet the requirements by October of the subsequent year;
  - a requirement that school boards hold public hearings on strategies to meet class size requirements before the district budget is adopted; and
  - authorization of virtual instruction programs as an option to meet class size.

- Revises the tax roll collection rate for calculation of the local effort for school districts from 95 to 96 percent; this provision also affects state funding for lab schools and the Florida Virtual School.

- Clarifies that in order for school districts to continue the school board-super majority-approved .25 critical needs millage after the 2010-2011 fiscal year, voters must approve the millage by referendum during the 2010 general election. If the measure fails, it cannot be put before the voters again for a full year and the voted millage will have to be reauthorized by the voters every two years.

- Adds community colleges as a provider for the school district virtual instruction programs. Community colleges may not count the student enrollment for Community College Program Funding.

- Expands eligibility for the school district virtual instruction programs to include siblings of a currently enrolled student of a virtual instruction program.

- Appropriates $21,244,177 for the Excellent Teaching Program to award bonuses for national board certified teachers.

- Extends school district flexibility to use the instructional materials categorical for computer hardware to support student learning after March 1, 2011, if all instructional content purchases have been made, and also authorizes the purchase of instructional hardware from 1.5 mill capital funds.

- Establishes procedures, requirements, and definitions for districts and publishers for the purchase of instructional materials in electronic format.

- Provides guidelines and instructions for implementation of school district electronic learning management systems.

- Requires secondary students enrolled in acceleration courses or programs to be provided access to electronic library resources provided by the Florida colleges and state universities.

- Reduces the early learning coalition administrative fee for the Voluntary Prekindergarten Program from 4.85 to 4.5 percent.

- Eliminates advance funding payments of Florida Education Finance Program (FEFP) funds to school districts and advanced distribution of instructional materials funds.

- Requires charter schools to be in compliance with class size at the school level average.

- Reduces the school district administrative fee for charter schools and charter school systems.

- Provides that capital outlay funds shared by school districts with a charter school in the workplace prior to July 1, 2010, have met the expenditure requirements for capital outlay funding.

- Provides that charter schools in the workplace are eligible for charter school capital outlay funding.

- Requires school board member salaries for 2010-2011 to be no greater than beginning teacher salaries.

- Requires that 80 percent of the funds generated by the International Baccalaureate (IB) program be provided to the school program or the feeder schools where the pre-IB program takes place; the funds are to be used solely for IB program or feeder program expenditures. Requires the remaining 20 percent to be spent on assisting academically disadvantaged students with rigorous courses.

- Requires that 80 percent of the funds generated by the Industry Certified bonus be provided to the school program and also authorizes the list of industry certifications to be approved by both the Agency for Workforce Innovation and the Department of Education (DOE).

- Reduces the school district budget summary advertisement requirements.

- Requires OPPAGA to review the Special Facility Construction Account program.

- Authorizes proration of the $50,000 per member amount for Regional Education Consortia.

- Requires instructional materials to include the contributions of African Americans to American society.

- Allows the DOE to use the Sophomore Level Test Trust Fund for any purpose.

- Limits DOE efforts to produce Department of Juvenile Justice education program quality reviews to the extent funding is available.

- Establishes procedures and timelines for the DOE and school districts to ensure industry certification of automotive training programs.

- Requires school district reciprocity of level 2 screenings for Florida High School Athletic Association officials.

- Clarifies exemption for the prior years of service requirement for pay purposes for re-employment of retired teachers.

- Clarifies that a student is not eligible for a quarterly payment for the McKay Scholarship Program if the private school misses the 30 day deadline for verification of student participation.

- Authorizes an off-site instructor for a traditional classroom providing instruction through a virtual environment to be the instructor of record for purposes of enrollment reporting.

- Repeals the requirement for school districts to freeze noncapital local school property taxes when the district levies capital outlay surtax.

- Authorizes the per student cost designated for the base transportation dollar allocation for disabled students to be designated by the Legislature each year.

- Clarifies the wealth adjustment offset calculation of the Sparsity Supplement by not including Merit Award Program funds.

- Includes a provision that recalculations of the FEFP after the initial appropriation may not result in negative state funds.

- Authorizes Jefferson County School District to administer a one-time transportation survey to substitute for the statewide, scheduled October and February surveys which were omitted by the district, and requires the school district to use $50,000 from the

transportation funding to hire a consultant to assist with managing district operations.

- Makes other technical adjustments.

Conference Committee Amendment (274839)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (d) and (e) of subsection (6) of section 212.055, Florida Statutes, are amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—

~~(d) Any school board imposing the surtax shall implement a freeze on noncapital local school property taxes, at the millage rate imposed in the year prior to the implementation of the surtax, for a period of at least 3 years from the date of imposition of the surtax. This provision shall not apply to existing debt service or taxes authorized in the General Appropriations Act.~~

(d)~~(e)~~ Surtax revenues collected by the Department of Revenue pursuant to this subsection shall be distributed to the school board imposing the surtax in accordance with law.

Section 2. Paragraph (d) of subsection (2) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

(2) The following transfers are authorized to be made by the head of each department or the Chief Justice of the Supreme Court whenever it is deemed necessary by reason of changed conditions:

~~(d) The transfer of funds by the Executive Office of the Governor from appropriations for public school operations to a fixed capital outlay appropriation for class size reduction based on recommendations of the Florida Education Finance Program Appropriation Allocation Conference or the Legislative Budget Commission pursuant to s. 1003.03(4)(a). Actions by the Governor under this subsection are subject to the notice and review provisions of s. 216.177.~~

Section 3. Subsection (3) of section 1001.395, Florida Statutes, is amended to read:

1001.395 District school board members; compensation.—

(3) Notwithstanding the provisions of this section and s. 145.19, for the *2010-2011* ~~2009-2010~~ fiscal year, the salary of each district school board member shall be the amount calculated pursuant to subsection (1) or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Section 4. Paragraph (c) 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)

(c) Notwithstanding paragraph (a), the appropriation for the *2010-2011* ~~2009-2010~~ fiscal year may be less than $50,000 per school district and eligible member. If the amount appropriated is insufficient to provide $50,000, the funds available must be prorated among all eligible districts and members. This paragraph expires *July 1, 2011* ~~July 1, 2010.~~

Section 5. Paragraphs (d) and (e) of subsection (9) of section 1002.32, Florida Statutes, are amended to read:

1002.32 Developmental research (laboratory) schools.—

(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:

(d) Each lab school shall receive funds for operating purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) *and (3)* by the value of *96* ~~95~~ percent of the current year's taxable value for school purposes for the district in which each lab school is located; divide the result by the total full-time equivalent membership of the district; and multiply the result by the full-time equivalent membership of the lab school. The amount thus obtained shall be discretionary operating funds and shall be appropriated from state funds in the General Appropriations Act to the Lab School Trust Fund.

(e) Each lab school shall receive funds for capital improvement purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for capital improvements pursuant to s. 1011.71(2) by the value of *96* ~~95~~ percent of the current year's taxable value for school purposes for the district in which each lab school is located; divide the result by the total full-time equivalent membership of the district; and multiply the result by the full-time equivalent membership of the lab school. The amount thus obtained shall be discretionary capital improvement funds and shall be appropriated from state funds in the General Appropriations Act to the Lab School Educational Facility Trust Fund.

Section 6. Paragraph (b) of subsection (16), paragraph (d) of subsection (18), subsection (19), and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

(18) FACILITIES.—

(d) Charter school facilities are exempt from assessments of fees for building permits, except as provided in s. 553.80*;*~~,~~ fees for building and occupational licenses*;*~~,~~ impact fees *or exactions;*~~,~~ service availability fees*;*~~,~~ and assessments for special benefits.

(19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible for capital outlay funds pursuant to s. 1013.62. *Capital outlay funds authorized in s. 1011.71(2) that have been shared with a charter school-in-the-workplace prior to July 1, 2010, are deemed to have met the authorized expenditure requirements for such funds.*

(20) SERVICES.—

(a)*1.* A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and

that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including *250* ~~500~~ students. For charter schools with a population of *251* ~~501~~ or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2).

3. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

4. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 3. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(2).

5. Each charter school shall receive 100 percent of the funds awarded to that school pursuant to s. 1012.225. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

Section 7. Paragraph (f) of subsection (3) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(f) The Florida Virtual School shall receive funds for operating purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) *and (3)* by the value of *96* ~~95~~ percent of the current year's taxable value for school purposes for the state; divide the result by the total full-time equivalent membership of the state; and multiply the result by the full-time equivalent membership of the school. The amount thus obtained shall be discretionary operating funds and shall be appropriated from state funds in the General Appropriations Act.

Section 8. Paragraph (b) of subsection (8) of section 1002.39, Florida Statutes, is amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(b) Provide to the department all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before *any* ~~the first~~ quarterly scholarship payment is made for the student *pursuant to paragraph (10)(e). A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline*.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 9. Paragraphs (a) and (b) of subsection (1), paragraph (a) of subsection (2), and subsections (7) and (12) of section 1002.45, Florida Statutes, are amended, and paragraph (d) is added to subsection (5) of that section, to read:

1002.45 School district virtual instruction programs.—

(1) PROGRAM.—

(a) For purposes of this section, the term:

1. "Approved provider" means a provider that is approved by the Department of Education under subsection (2), the Florida Virtual School, ~~or~~ a franchise of the Florida Virtual School*, or a community college*.

2. "Virtual instruction program" means a program of instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both, and in which a Florida-certified teacher under chapter 1012 is responsible for at least:

a. Fifty percent of the direct instruction to students in kindergarten through grade 5; or

b. Eighty percent of the direct instruction to students in grades 6 through 12.

(b) Beginning with the 2009-2010 school year, each school district shall provide eligible students within its boundaries the option of participating in a virtual instruction program. The purpose of the program is to make instruction available to students using online and distance learning technology in the nontraditional classroom. The program shall be:

1. Full-time for students enrolled in kindergarten through grade 12.

2. Full-time or part-time for students *in grades 9 through 12 who are* enrolled in dropout prevention and academic intervention programs under s. 1003.53*,* ~~or~~ Department of Juvenile Justice education programs under s. 1003.52*, core-curricula courses to meet class size requirements under s. 1003.03, or community colleges under this section* ~~in grades 9 through 12~~.

(2) PROVIDER QUALIFICATIONS.—

(a) The department shall annually provide school districts with a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

1. Is nonsectarian in its programs, admission policies, employment practices, and operations;

2. Complies with the antidiscrimination provisions of s. 1000.05;

3. Locates an administrative office or offices in this state, requires its administrative staff to be state residents, requires all instructional staff to be Florida-certified teachers under chapter 1012, and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;

4. Possesses prior, successful experience offering online courses to elementary, middle, or high school students; ~~and~~

5. Is accredited by the Southern Association of Colleges and Schools Council on Accreditation and School Improvement, the North Central Association Commission on Accreditation and School Improvement, the Middle States Association of Colleges and Schools Commission on Elementary Schools and Commission on Secondary Schools, the New England Association of Schools and Colleges, the Northwest Association of Accredited Schools, the Western Association of Schools and Colleges, or the Commission on International and Trans-Regional Accreditation*; and*

6. If the provider is a community college, employs instructors who meet the certification requirements for instructional staff under chapter 1012.

(5) STUDENT ELIGIBILITY.—A student may enroll in a virtual instruction program provided by the school district in which he or she resides if the student meets at least one of the following conditions:

(d) The student has a sibling who is currently enrolled in a school district virtual instruction program and that sibling was enrolled in such program at the end of the prior school year.

(7) FUNDING.—

(a) For purposes of a school district virtual instruction program, "full-time equivalent student" has the same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

(b) The school district in which the student resides shall report full-time equivalent students for the school district virtual instruction program to the department in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program. Funds received by the school district of residence for a student in a virtual instruction program provided by another school district under this section shall be transferred to the school district providing the virtual instruction program.

(c) A community college provider may not report students who are served in a school district virtual instruction program for funding under the Community College Program Fund.

~~(12) STUDY. The department shall review the advisability of legislatively authorizing school districts to contract with approved private providers for the provision of part time virtual instruction programs for students in grades 9 through 12 who are not enrolled in programs under ss. 1003.52 and 1003.53. The department shall report its findings and recommendations to the presiding officers of the Legislature and the Governor by January 15, 2010.~~

Section 10. Subsection (7) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(7) The Agency for Workforce Innovation shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures shall be revised, to the maximum extent practicable, to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of transmitting attendance records to the early learning coalition in a mutually agreed-upon format. In addition, actions shall be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Beginning with the *2010-2011* ~~2008-2009~~ fiscal year, each early learning coalition may retain and expend no more than *4.5* ~~4.85~~ percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

Section 11. Subsections (2), (3), and (4) of section 1003.03, Florida Statutes, are amended to read:

1003.03 Maximum class size.—

(2) IMPLEMENTATION.—

(a) The Department of Education shall annually calculate class size measures described in subsection (1) based upon the October student membership survey.

(b) Prior to the adoption of the district school budget for 2010-2011, each district school board shall hold public hearings and provide information to parents on the district's website, and through any other means by which the district provides information to parents and the public, on the district's strategies to meet the requirements in subsection (1).

~~(a) Beginning with the 2003-2004 fiscal year, each school district that is not in compliance with the maximums in subsection (1) shall reduce the average number of students per classroom in each of the following grade groupings: prekindergarten through grade 3, grade 4 through grade 8, and grade 9 through grade 12, by at least two students each year.~~

~~(b) Determination of the number of students per classroom in paragraph (a) shall be calculated as follows:~~

~~1. For fiscal years 2003-2004 through 2005-2006, the calculation for compliance for each of the 3 grade groupings shall be the average at the district level.~~

~~2. For fiscal years 2006-2007 through 2009-2010, the calculation for compliance for each of the 3 grade groupings shall be the average at the school level.~~

~~3. For fiscal year 2010-2011 and thereafter, the calculation for compliance shall be at the individual classroom level.~~

~~4. For fiscal years 2006-2007 through 2009-2010 and thereafter, each teacher assigned to any classroom shall be included in the calculation for compliance.~~

~~(c) The Department of Education shall annually calculate each of the three average class size measures defined in paragraphs (a) and (b) based upon the October student membership survey. For purposes of determining the baseline from which each district's average class size must be reduced for the 2003-2004 school year, the department shall use data from the February 2003 student membership survey updated to include classroom identification numbers as required by the department.~~

~~(d) Prior to the adoption of the district school budget for 2004-2005, each district school board shall hold public hearings to review school attendance zones in order to ensure maximum use of facilities while minimizing the additional use of transportation in order to comply with the two student per year reduction required in paragraph (a). School districts that meet the constitutional class size maximums described in subsection (1) are exempt from this requirement.~~

(3) IMPLEMENTATION OPTIONS.—District school boards must consider, but are not limited to, implementing the following items in order to meet the constitutional class size maximums described in subsection (1) ~~and the two-student-per-year reduction required in subsection (2)~~:

(a) Adopt policies to encourage qualified students to take dual enrollment courses.

(b) Adopt policies to encourage students to take courses from the Florida Virtual School *and school district virtual instruction programs*.

(c)1. Repeal district school board policies that require students to have more than 24 credits to graduate from high school.

2. Adopt policies to allow students to graduate from high school as soon as they pass the grade 10 FCAT and complete the courses required for high school graduation.

(d) Use methods to maximize use of instructional staff, such as changing required teaching loads and scheduling of planning periods, deploying district employees that have professional certification to the classroom, using adjunct educators, or any other method not prohibited by law.

(e) Use innovative methods to reduce the cost of school construction by using prototype school designs, using SMART Schools designs, par-

ticipating in the School Infrastructure Thrift Program, or any other method not prohibited by law.

(f) Use joint-use facilities through partnerships with community colleges, state universities, and private colleges and universities. Joint-use facilities available for use as K-12 classrooms that do not meet the K-12 State Regulations for Educational Facilities in the Florida Building Code may be used at the discretion of the district school board provided that such facilities meet all other health, life, safety, and fire codes.

(g) Adopt alternative methods of class scheduling, such as block scheduling.

(h) Redraw school attendance zones to maximize use of facilities while minimizing the additional use of transportation.

(i) Operate schools beyond the normal operating hours to provide classes in the evening or operate more than one session of school during the day.

(j) Use year-round schools and other nontraditional calendars that do not adversely impact annual assessment of student achievement.

(k) Review and consider amending any collective bargaining contracts that hinder the implementation of class size reduction.

(l) Use any other approach not prohibited by law.

(4) ACCOUNTABILITY.—

~~(a) 1. Beginning in the 2003-2004 fiscal year, if the department determines for any year that a school district has not reduced average class size as required in subsection (2) at the time of the third FEFP calculation, the department shall calculate an amount from the class size reduction operating categorical which is proportionate to the amount of class size reduction not accomplished. Upon verification of the department's calculation by the Florida Education Finance Program Appropriation Allocation Conference and not later than March 1 of each year, the Executive Office of the Governor shall transfer undistributed funds equivalent to the calculated amount from the district's class size reduction operating categorical to an approved fixed capital outlay appropriation for class size reduction in the affected district pursuant to s. 216.292(2)(d). The amount of funds transferred shall be the lesser of the amount verified by the Florida Education Finance Program Appropriation Allocation Conference or the undistributed balance of the district's class size reduction operating categorical.~~

~~2. In lieu of the transfer required by subparagraph 1., the Commissioner of Education may recommend a budget amendment, subject to approval by the Legislative Budget Commission, to transfer an alternative amount of funds from the district's class size reduction operating categorical to its approved fixed capital outlay account for class size reduction if the commissioner finds that the State Board of Education has reviewed evidence indicating that a district has been unable to meet class size reduction requirements despite appropriate effort to do so. The commissioner's budget amendment must be submitted to the Legislative Budget Commission by February 15 of each year.~~

~~3. For the 2007-2008 fiscal year and thereafter, if in any fiscal year funds from a district's class size operating categorical are required to be transferred to its fixed capital outlay fund and the district's class size operating categorical allocation in the General Appropriations Act for that fiscal year has been reduced by a subsequent appropriation, the Commissioner of Education may recommend a 50 percent reduction in the amount of the transfer.~~

(a)~~(b) Beginning in the 2010-2011 fiscal year and each year thereafter,~~ If the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection *(1)*~~(2)~~, *based upon the October student membership survey* ~~at the time of the third FEFP calculation~~, the department shall:

1. Identify, for each grade group, the number of classes in which ~~the enrollment exceeds the maximum,~~ the number of students ~~which~~ exceeds the maximum ~~for each class,~~ and the total number of students which exceeds the maximum for all classes.

2. Determine the number of *FTE* ~~full time equivalent~~ students which exceeds the maximum ~~class size~~ for each grade group.

3. Multiply the total number of FTE students which exceeds the maximum ~~class size~~ for each grade group by the district's FTE dollar amount of the *class size categorical* ~~class size reduction~~ allocation for that year and calculate the total for all three grade groups.

4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for the 2010-2011 fiscal year and by an amount equal to the base student allocation adjusted by the district cost differential beginning in the 2011-2012 fiscal year and thereafter.

5.~~4.~~ Reduce the district's *class size* ~~class size reduction operating~~ categorical allocation by an amount equal to the sum of the *calculations* ~~calculation~~ in *subparagraphs* ~~subparagraph~~ 3. *and 4.*

(b) The amount of funds reduced shall be the lesser of the amount calculated in paragraph (a) or the undistributed balance of the district's class size categorical allocation. The Florida Education Finance Program Appropriation Allocation Conference shall verify the department's calculation in paragraph (a). The commissioner may withhold distribution of the class size categorical allocation to the extent necessary to comply with paragraph (a).

~~(c) Upon verification of the department's calculation by the Florida Education Finance Program Appropriation Allocation Conference and no later than March 1 of each year, the Executive Office of the Governor shall place these funds in reserve, and the undistributed funds shall revert to the General Revenue Fund unallocated at the end of the fiscal year. The amount of funds reduced shall be the lesser of the amount verified by the Florida Education Finance Program Appropriation Allocation Conference or the undistributed balance of the district's class size reduction operating categorical allocation.~~

(c)~~(d)~~ In lieu of the reduction calculation in paragraph *(a)*~~(b)~~, *if* the Commissioner of Education *has evidence that a district was unable to meet the class size requirements despite appropriate efforts to do so or because of an extreme emergency, the commissioner* may recommend *by February 15* ~~a budget amendment~~, subject to approval of the Legislative Budget Commission, *the reduction of* ~~to reduce~~ an *alternate* ~~alternative~~ amount of funds from the district's *class size* ~~class size reduction operating~~ categorical allocation. ~~The commissioner's budget amendment must be submitted to the Legislative Budget Commission by February 15 of each year.~~

(d) Upon approval of the reduction calculation in paragraphs (a)-(c), the commissioner must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements. The funds shall be reallocated by calculating an amount of up to 5 percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.

(e) Each district that has not complied with the requirements in subsection (1) shall submit to the commissioner by February 15 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (d) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was calculated in paragraphs (a)-(c). However, no district shall have an amount added back that is greater than the amount that was reduced.

(f) The department shall adjust school district class size reduction categorical allocation distributions based on the calculations in paragraphs (a)-(e).

~~(e) In addition to the calculation required in paragraph (a), at the time of the third FEFP calculation for the 2009-2010 fiscal year, the department shall also prepare a simulated calculation based on the requirements in paragraphs (b) and (c). This simulated calculation shall be provided to the school districts and the Legislature.~~

Section 12. Effective upon approval by the electors of Senate Joint Resolution 2 in the 2010 General Election and retroactive to the begin-

ning of the 2010-2011 school year, subsections (1) through (4) of section 1003.03, Florida Statutes, are amended to read:

1003.03 Maximum class size.—

(1) CONSTITUTIONAL CLASS SIZE MAXIMUMS.—Pursuant to s. 1, Art. IX of the State Constitution, beginning in the 2010-2011 school year:

(a) The average number of students at the school level assigned to each teacher who is teaching core-curricula courses in public school classrooms for prekindergarten through grade 3 may not exceed 18 students, and the maximum number of students assigned to a teacher in an individual classroom may not exceed 21 students.

(b) The average number of students at the school level assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 4 through 8 may not exceed 22 students, and the maximum number of students assigned to a teacher in an individual classroom may not exceed 27 students.

(c) The average number of students at the school level assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 9 through 12 may not exceed 25 students, and the maximum number of students assigned to a teacher in an individual classroom may not exceed 30 students.

~~(a) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for prekindergarten through grade 3 may not exceed 18 students.~~

~~(b) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 4 through 8 may not exceed 22 students.~~

~~(c) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 9 through 12 may not exceed 25 students.~~

(2) IMPLEMENTATION.—

(a) The Department of Education shall annually calculate class size measures as described in subsection (1) based upon the October student membership survey.

(b) The calculation for compliance for each of the three grade groups shall be the number of students assigned to each teacher in an individual classroom and the average number of students at the school level assigned to each teacher. Each teacher assigned to any classroom shall be included in the calculation for compliance.

~~(a) Beginning with the 2003-2004 fiscal year, each school district that is not in compliance with the maximums in subsection (1) shall reduce the average number of students per classroom in each of the following grade groupings: prekindergarten through grade 3, grade 4 through grade 8, and grade 9 through grade 12, by at least two students each year.~~

~~(b) Determination of the number of students per classroom in paragraph (a) shall be calculated as follows:~~

~~1. For fiscal years 2003-2004 through 2005-2006, the calculation for compliance for each of the 3 grade groupings shall be the average at the district level.~~

~~2. For fiscal years 2006-2007 through 2009-2010, the calculation for compliance for each of the 3 grade groupings shall be the average at the school level.~~

~~3. For fiscal year 2010-2011 and thereafter, the calculation for compliance shall be at the individual classroom level.~~

~~4. For fiscal years 2006-2007 through 2009-2010 and thereafter, each teacher assigned to any classroom shall be included in the calculation for compliance.~~

~~(c) The Department of Education shall annually calculate each of the three average class size measures defined in paragraphs (a) and (b) based upon the October student membership survey. For purposes of determining the baseline from which each district's average class size must be reduced for the 2003-2004 school year, the department shall use data from the February 2003 student membership survey updated to include classroom identification numbers as required by the department.~~

~~(d) Prior to the adoption of the district school budget for 2004-2005, each district school board shall hold public hearings to review school attendance zones in order to ensure maximum use of facilities while minimizing the additional use of transportation in order to comply with the two-student-per-year reduction required in paragraph (a). School districts that meet the constitutional class size maximums described in subsection (1) are exempt from this requirement.~~

(3) IMPLEMENTATION OPTIONS.—District school boards must consider, but are not limited to, implementing the following items in order to meet the constitutional class size maximums described in subsection (1) ~~and the two-student-per-year reduction required in subsection (2)~~:

(a) Adopt policies to encourage qualified students to take dual enrollment courses.

(b) Adopt policies to encourage students to take courses from the Florida Virtual School *and school district virtual instruction programs*.

(c)1. Repeal district school board policies that require students to have more than 24 credits to graduate from high school.

2. Adopt policies to allow students to graduate from high school as soon as they pass the grade 10 FCAT and complete the courses required for high school graduation.

(d) Use methods to maximize use of instructional staff, such as changing required teaching loads and scheduling of planning periods, deploying district employees that have professional certification to the classroom, using adjunct educators, or any other method not prohibited by law.

(e) Use innovative methods to reduce the cost of school construction by using prototype school designs, using SMART Schools designs, participating in the School Infrastructure Thrift Program, or any other method not prohibited by law.

(f) Use joint-use facilities through partnerships with community colleges, state universities, and private colleges and universities. Joint-use facilities available for use as K-12 classrooms that do not meet the K-12 State Regulations for Educational Facilities in the Florida Building Code may be used at the discretion of the district school board provided that such facilities meet all other health, life, safety, and fire codes.

(g) Adopt alternative methods of class scheduling, such as block scheduling.

(h) Redraw school attendance zones to maximize use of facilities while minimizing the additional use of transportation.

(i) Operate schools beyond the normal operating hours to provide classes in the evening or operate more than one session of school during the day.

(j) Use year-round schools and other nontraditional calendars that do not adversely impact annual assessment of student achievement.

(k) Review and consider amending any collective bargaining contracts that hinder the implementation of class size reduction.

(l) Use any other approach not prohibited by law.

(4) ACCOUNTABILITY.—

(a) If the department determines that the number of students assigned to any individual classroom exceeds the classroom maximum, or if the department determines that the school average is greater than the school-level maximum, as required in subsection (1) based upon the October student membership survey, the department shall for each of the three grade groups:

1. Identify the number of FTE students in an individual classroom which is greater than the classroom maximum and the number of FTE

students which is greater than the school-level average maximum, not including the number of FTE students which is greater than the classroom maximum.

2. Multiply the total number of FTE students as calculated in subparagraph 1. which exceeds the maximum for each grade group by the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total dollar amount for all three grade groups.

3. Multiply the total number of FTE students as calculated in subparagraph 1. which exceeds the maximum by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for the 2010-2011 fiscal year and beginning in the 2011-2012 fiscal year by an amount equal to the base student allocation adjusted by the district cost differential.

4. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 2. and 3.

(b) The amount of funds reduced shall be the lesser of the amount calculated in paragraph (a) or the undistributed balance of the district's class size categorical allocation. The Florida Education Finance Program Appropriation Allocation Conference shall verify the department's calculation in paragraph (a). The commissioner may withhold distribution of the class size categorical allocation to the extent necessary to comply with paragraph (a).

~~(a)1. Beginning in the 2003-2004 fiscal year, if the department determines for any year that a school district has not reduced average class size as required in subsection (2) at the time of the third FEFP calculation, the department shall calculate an amount from the class size reduction operating categorical which is proportionate to the amount of class size reduction not accomplished. Upon verification of the department's calculation by the Florida Education Finance Program Appropriation Allocation Conference and not later than March 1 of each year, the Executive Office of the Governor shall transfer undistributed funds equivalent to the calculated amount from the district's class size reduction operating categorical to an approved fixed capital outlay appropriation for class size reduction in the affected district pursuant to s. 216.292(2)(d). The amount of funds transferred shall be the lesser of the amount verified by the Florida Education Finance Program Appropriation Allocation Conference or the undistributed balance of the district's class size reduction operating categorical.~~

~~2. In lieu of the transfer required by subparagraph 1., the Commissioner of Education may recommend a budget amendment, subject to approval by the Legislative Budget Commission, to transfer an alternative amount of funds from the district's class size reduction operating categorical to its approved fixed capital outlay account for class size reduction if the commissioner finds that the State Board of Education has reviewed evidence indicating that a district has been unable to meet class size reduction requirements despite appropriate effort to do so. The commissioner's budget amendment must be submitted to the Legislative Budget Commission by February 15 of each year.~~

~~3. For the 2007-2008 fiscal year and thereafter, if in any fiscal year funds from a district's class size operating categorical are required to be transferred to its fixed capital outlay fund and the district's class size operating categorical allocation in the General Appropriations Act for that fiscal year has been reduced by a subsequent appropriation, the Commissioner of Education may recommend a 50 percent reduction in the amount of the transfer.~~

~~(b) Beginning in the 2010-2011 fiscal year and each year thereafter, if the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (2), at the time of the third FEFP calculation, the department shall:~~

~~1. Identify, for each grade group, the number of classes in which the enrollment exceeds the maximum, the number of students which exceeds the maximum for each class, and the total number of students which exceeds the maximum for all classes.~~

~~2. Determine the number of full-time equivalent students which exceeds the maximum class size for each grade group.~~

~~3. Multiply the total number of FTE students which exceeds the maximum class size for each grade group by the district's FTE dollar amount of the class size reduction allocation for that year and calculate the total for all three grade groups.~~

~~4. Reduce the district's class size reduction operating categorical allocation by an amount equal to the sum of the calculation in subparagraph 3.~~

~~(c) Upon verification of the department's calculation by the Florida Education Finance Program Appropriation Allocation Conference and no later than March 1 of each year, the Executive Office of the Governor shall place these funds in reserve, and the undistributed funds shall revert to the General Revenue Fund unallocated at the end of the fiscal year. The amount of funds reduced shall be the lesser of the amount verified by the Florida Education Finance Program Appropriation Allocation Conference or the undistributed balance of the district's class size reduction operating categorical allocation.~~

(c)~~(d)~~ In lieu of the reduction calculation in paragraph *(a)*~~(b)~~, *if* the Commissioner of Education *has evidence that a district was unable to meet the class size requirements despite appropriate efforts to do so or because of an extreme emergency, the commissioner* may recommend *by February 15* ~~a budget amendment~~, subject to approval of the Legislative Budget Commission, *the reduction of* ~~to reduce~~ an *alternate* ~~alternative~~ amount of funds from the district's *class size* ~~class size reduction operating~~ categorical allocation. ~~The commissioner's budget amendment must be submitted to the Legislative Budget Commission by February 15 of each year.~~

(d) Upon approval of the reduction calculation in paragraphs (a)-(c), the commissioner must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements. The funds shall be reallocated by calculating an amount of up to 5 percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.

(e) Each district that has not complied with the requirements in subsection (1) shall submit to the commissioner by February 15 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (d) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was calculated in paragraphs (a)-(c). However, no district shall have an amount added back that is greater than the amount that was reduced.

(f) The department shall adjust school district class size reduction categorical allocation distributions based on the calculations in paragraphs (a)-(e).

~~(e) In addition to the calculation required in paragraph (a), at the time of the third FEFP calculation for the 2009-2010 fiscal year, the department shall also prepare a simulated calculation based on the requirements in paragraphs (b) and (c). This simulated calculation shall be provided to the school districts and the Legislature.~~

Section 13. Paragraph (h) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. *Instructional materials shall include the contributions of African Americans to American society.*

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection.

Section 14. Subsection (2) of section 1003.492, Florida Statutes, is amended to read:

1003.492 Industry-certified career education programs.—

(2) The State Board of Education shall use the expertise of Workforce Florida, Inc., and Enterprise Florida, Inc., to develop and adopt rules pursuant to ss. 120.536(1) and 120.54 for implementing an industry certification process. Industry certification shall be defined by the Agency for Workforce Innovation, based upon the highest available national standards for specific industry certification, to ensure student skill proficiency and to address emerging labor market and industry trends. A regional workforce board or a career and professional academy may apply to Workforce Florida, Inc., to request additions to the approved list of industry certifications based on high-demand job requirements in the regional economy. The list of industry certifications approved by Workforce Florida, Inc., *and the Department of Education* shall be published and updated annually by a date certain, to be included in the adopted rule.

Section 15. Subsection (15) of section 1003.52, Florida Statutes, is amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

(15)(a) The Department of Education in consultation with the Department of Juvenile Justice, district school boards, and providers shall establish objective and measurable quality assurance standards for the educational component of residential and nonresidential juvenile justice facilities. These standards shall rate the district school board's performance both as a provider and contractor. The quality assurance rating for the educational component shall be disaggregated from the overall quality assurance score and reported separately.

(b) The Department of Education shall develop a comprehensive quality assurance review process and schedule for the evaluation of the educational component in juvenile justice programs. The Department of Juvenile Justice quality assurance site visit and the education quality assurance site visit shall be conducted during the same visit.

(c) The Department of Education, in consultation with district school boards and providers, shall establish minimum thresholds for the standards and key indicators for educational programs in juvenile justice facilities. If a district school board fails to meet the established minimum standards, it will be given 6 months to achieve compliance with the standards. If after 6 months, the district school board's performance is still below minimum standards, the Department of Education shall exercise sanctions as prescribed by rules adopted by the State Board of Education. If a provider, under contract with the district school board, fails to meet minimum standards, such failure shall cause the district school board to cancel the provider's contract unless the provider achieves compliance within 6 months or unless there are documented extenuating circumstances.

(d) The requirements in paragraphs (a), (b), and (c) shall be implemented to the extent that funds are available.

Section 16. Section 1004.925, Florida Statutes, is amended to read:

1004.925 Automotive service technology education programs; certification.—

(1) All automotive service technology education programs shall be industry certified *in accordance with rules adopted by the State Board of Education* ~~by 2007~~.

(2) New automotive service technology education programs and automotive service technology education programs that are in the process of becoming industry certified shall have 3 years to become certified.

(3) Effective with the 2013-2014 fiscal year, students enrolled in an automotive service technology education program that is not industry certified pursuant to this section shall not be eligible to be reported for state funding.

Section 17. Subsection (1) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The term "adequate instructional materials" means a sufficient number of textbooks or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, *electronic content,* consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature, except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction. The district school board has the following specific duties:

(a) Courses of study; adoption.—Adopt courses of study for use in the schools of the district.

(b) Textbooks.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials furnished by the state and furnish such other instructional materials as may be needed. The district school board shall assure that instructional materials used in the district are consistent with the district goals and objectives and the curriculum frameworks adopted by rule of the State Board of Education, as well as with the state and district performance standards provided for in s. 1001.03(1).

(c) Other instructional materials.—Provide such other teaching accessories and aids as are needed for the school district's educational program.

(d) School library media services; establishment and maintenance.—Establish and maintain a program of school library media services for all public schools in the district, including school library media centers, or school library media centers open to the public, and, in addition such traveling or circulating libraries as may be needed for the proper operation of the district school system.

Section 18. Section 1006.281, Florida Statutes, is created to read:

1006.281 Learning management systems.—

(1) To ensure that all school districts have equitable access to digitally rich instructional materials, districts are encouraged to provide access to an electronic learning management system that allows teachers, students, and parents to access, organize, and use electronically available instructional materials and teaching and learning tools and resources, and that enables teachers to manage, assess, and track student learning.

(2) To the extent fiscally and technologically feasible, a school district's electronic learning management system should allow for a single, authenticated sign-on and include the following functionality:

(a) Vertically searches for, gathers, and organizes specific standards-based instructional materials.

(b) Enables teachers to prepare lessons, individualize student instruction, and use best practices in providing instruction.

(c) Provides communication, including access to up-to-date student performance data, in order to help teachers and parents better serve the needs of students.

(d) Provides access for administrators to ensure quality of instruction within every classroom.

(e) Provides access to multiple content providers.

(3) The Department of Education shall provide assistance as requested by school districts in their deployment of a district electronic learning management system.

Section 19. Subsection (4) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials committees.—

(4) For purposes of state adoption, "instructional materials" means items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, *electronic content,* consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. *A publisher or manufacturer providing instructional materials as a single bundle shall also make the instructional materials available as separate and unbundled items, each priced individually. Any instructional materials adopted after 2012-2013 for students in grades 9 through 12 shall also be provided in an electronic format.* The term does not include electronic or computer hardware even if such hardware is bundled with software or other electronic media, nor does it include equipment or supplies.

Section 20. Paragraph (b) of subsection (1) of section 1006.33, Florida Statutes, is amended to read:

1006.33 Bids or proposals; advertisement and its contents.—

(1)

(b) The advertisement shall state that*, beginning in 2010-2011,* each bidder shall furnish *electronic* specimen copies of all instructional materials submitted, at a time designated by the department, which specimen copies shall be identical with the copies approved and accepted by the members of the state instructional materials committee, as prescribed in this section, and with the copies furnished to the department and district school superintendents, as provided in this part. *Any district school superintendent who requires samples in addition to the electronic format must request those samples through the department.*

Section 21. Subsection (4) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(4) The funds described in subsection (3) which district school boards may use to purchase materials not on the state-adopted list shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, *electronic content,* replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by district school board rule. The funds available to district school boards for the purchase of materials not on the state-adopted list may not be used to purchase electronic or computer hardware even if such hardware is bundled with software or other electronic media *unless the district school board has complied with the requirements in s. 1011.62(6)(b)5.*, nor may such funds be used to purchase equipment or supplies. However, when authorized to do so in the General Appropriations Act, a school or district school board may use a portion of the funds available to it for the purchase of materials not on the state-adopted list to purchase science laboratory materials and supplies.

Section 22. Subsection (1) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(1) It is the intent of the Legislature that a variety of articulated acceleration mechanisms be available for secondary and postsecondary students attending public educational institutions. It is intended that articulated acceleration serve to shorten the time necessary for a student to complete the requirements associated with the conference of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms shall include, but not be limited to, dual enrollment as provided for in s. 1007.271, early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Credit earned through the Florida Virtual School shall provide additional opportunities for early graduation and acceleration. *Students of Florida public secondary schools enrolled pursuant to this subsection shall be deemed authorized users of the state-funded electronic library resources that are licensed for Florida colleges and state universities by the Florida Center for Library Automation and the College Center for Library Automation. Verification of eligibility shall be in accordance with rules established by the State Board of Education and regulations established by the Board of Governors and processes implemented by Florida colleges and state universities.*

Section 23. Section 1010.79, Florida Statutes, is amended to read:

1010.79 Sophomore Level Test Trust Fund.—Chapter 99-26, Laws of Florida, re-created the Sophomore Level Test Trust Fund to record revenue and disbursements of examination fees received by the Department of Education as authorized in s. 1008.29. *Effective July 1, 2010, funds remaining in the Sophomore Level Test Trust Fund may be used for any purpose authorized by the Legislature.*

Section 24. Section 1011.03, Florida Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

(1) Each district school board must cause a summary of its tentative budget, including the proposed millage levies as provided for by law, ~~and graphs illustrating a historical summary of financial and demographic data,~~ to be *posted online and* advertised ~~at least~~ one time ~~as a full page advertisement~~ in *a* ~~the~~ newspaper *of general* ~~with the largest~~ circulation published in the district or to be posted at the courthouse ~~door~~ if there be no such newspaper.

~~(2)(a) The advertisement must include a graph illustrating the historical summary of financial and demographic data for each of the following data values which shall be plotted along the vertical axis of each graph:~~

~~1. Total revenue provided to the school district from all sources for the corresponding fiscal year, including all federal, state, and local revenue.~~

~~2. Total revenue provided to the school district for the corresponding fiscal year for current operations.~~

~~3. Total revenue provided to the school district for the corresponding fiscal year for fixed capital outlay projects.~~

~~4. Total revenue provided to the school district for the corresponding fiscal year for debt service.~~

~~5. Total number of unweighted full-time equivalent students, inclusive of all programs listed in s. 1011.62.~~

~~6. Total revenue provided to the school district for current operations divided by the number of unweighted full-time equivalent students for the corresponding fiscal year.~~

~~7. Total number of employees of the school district for the corresponding fiscal year.~~

~~8. Total number of employees of the school district classified as instructional personnel under s. 1012.01 for the corresponding fiscal year.~~

~~(b) Each graph must include a separate histogram corresponding to the financial and demographic data for each of the following fiscal years, which shall be plotted along the horizontal axis of each graph:~~

~~1. Current fiscal year.~~

~~2. Fiscal year that is 5 years before the current fiscal year.~~

~~3. Fiscal year that is 10 years before the current fiscal year.~~

~~(c) The numeric value of the financial and demographic data corresponding to each histogram must be included in each graph.~~

(2)~~(3)~~ The advertisement of a district that has been required by the Legislature to increase classroom expenditures pursuant to s. 1011.64 must include the following statement:

"This proposed budget reflects an increase in classroom expenditures as a percent of total current operating expenditures of XX percent over the (previous fiscal year) fiscal year. This increase in classroom expenditures is required by the Legislature because the district has performed below the required performance standard on XX of XX student performance standards for the (previous school year) school year. In order to achieve the legislatively required level of classroom expenditures as a percentage of total operating expenditures, the proposed budget includes an increase in overall classroom expenditures of $XX,XXX,XXX above the amount spent for this same purpose during the (previous fiscal year) fiscal year. In order to achieve improved student academic performance, this proposed increase is being budgeted for the following activities: ...(list activities and amount budgeted)...."

(3)~~(4)~~ The advertisement shall appear adjacent to the advertisement required pursuant to s. 200.065. The State Board of Education may adopt rules necessary to provide specific requirements for the format of the advertisement.

(4)~~(5)~~ The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed or adopted amendments thereto, if any. The district school board shall then require the superintendent to transmit forthwith two copies of the adopted budget to the Department of Education for approval as prescribed by law and rules of the State Board of Education.

Section 25. Paragraphs (m) and (p) of subsection (1), paragraphs (a) and (b) of subsection (4), paragraph (b) of subsection (6), paragraph (d) of subsection (7), and paragraph (a) of subsection (12) of section 1011.62, Florida Statutes, are amended, and subsection (13) 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:

(m) Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an International Baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. *Each school district shall allocate 80 percent of the funds received from International Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional development for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses.* The school district shall distribute to each classroom teacher who provided International Baccalaureate instruction:

1. A bonus in the amount of $50 for each student taught by the International Baccalaureate teacher in each International Baccalaureate course who receives a score of 4 or higher on the International Baccalaureate examination.

2. An additional bonus of $500 to each International Baccalaureate teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 4 or higher on the International Baccalaureate examination, regardless of the number of classes taught or of the number of students scoring a 4 or higher on the International Baccalaureate examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(p) Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to ss. 1003.491, 1003.492, and 1003.493 and identified in the Industry Certified Funding List pursuant to rules adopted by the State Board of Education.—A value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under ss. 1003.491, 1003.492, and 1003.493 and who is issued the highest level of industry certification identified annually in the Industry Certification Funding List *approved* under rules adopted by the State Board of Education and a high school diploma. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student. *Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds.* Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to $15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

(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. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (12)(b). 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 *96* ~~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 as calculated and adopted by the Legislature, 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. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(b) Equalization of required local effort.—

1. The Department of Revenue shall include with its certifications provided pursuant to paragraph (a) its most recent determination of the assessment level of the prior year's assessment roll for each county and for the state as a whole.

2. The Commissioner of Education shall adjust the required local effort millage of each district for the current year, computed pursuant to paragraph (a), as follows:

a. The equalization factor for the prior year's assessment roll of each district shall be multiplied by *96* ~~95~~ percent of the taxable value for school purposes shown on that roll and by the prior year's required local-effort millage, exclusive of any equalization adjustment made pursuant to this paragraph. The dollar amount so computed shall be the additional required local effort for equalization for the current year.

b. Such equalization factor shall be computed as the quotient of the prior year's assessment level of the state as a whole divided by the prior year's assessment level of the county, from which quotient shall be subtracted 1.

c. The dollar amount of additional required local effort for equalization for each district shall be converted to a millage rate, based on *96* ~~95~~ percent of the current year's taxable value for that district, and added to the required local effort millage determined pursuant to paragraph (a).

3. Notwithstanding the limitations imposed pursuant to s. 1011.71(1), the total required local-effort millage, including additional required local effort for equalization, shall be an amount not to exceed 10 minus the maximum millage allowed as nonvoted discretionary millage, exclusive of millage authorized pursuant to s. 1011.71(2). Nothing herein shall be construed to allow a millage in excess of that authorized in s. 9, Art. VII of the State Constitution.

4. For the purposes of this chapter, the term "assessment level" means the value-weighted mean assessment ratio for the county or state as a whole, as determined pursuant to s. 195.096, or as subsequently adjusted. However, for those parcels studied pursuant to s. 195.096(3)(a) 1. which are receiving the assessment limitation set forth in s. 193.155, and for which the assessed value is less than the just value, the department shall use the assessed value in the numerator and the denominator of such assessment ratio. In the event a court has adjudicated that the department failed to establish an accurate estimate of an assessment level of a county and recomputation resulting in an accurate estimate based upon the evidence before the court was not possible, that county shall be presumed to have an assessment level equal to that of the state as a whole.

5. If, in the prior year, taxes were levied against an interim assessment roll pursuant to s. 193.1145, the assessment level and prior year's nonexempt assessed valuation used for the purposes of this paragraph shall be those of the interim assessment roll.

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction.

4. Funds for research-based reading instruction.

5. Funds for instructional materials if all instructional material purchases *necessary to provide updated materials aligned to Next Generation Sunshine State Standards and benchmarks and that meet statutory requirements of content and learning* have been completed for that fiscal year, but no sooner than March 1, *2011* ~~2010~~. *Funds available after March 1 may be used to purchase hardware for student instruction.*

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(d) Each district's allocation of sparsity supplement funds shall be adjusted in the following manner:

1. A maximum discretionary levy per FTE value for each district shall be calculated by dividing the value of each district's maximum discretionary levy by its FTE student count.

2. A state average discretionary levy value per FTE shall be calculated by dividing the total maximum discretionary levy value for all districts by the state total FTE student count.

3. A total potential funds per FTE for each district shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds*, Merit Award Program funds,* and the minimum guarantee *funds*, for each district by its FTE student count.

4. A state average total potential funds per FTE shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds*, Merit Award Program funds,* and the minimum guarantee *funds*, for all districts by the state total FTE student count.

5. For districts that have a levy value per FTE as calculated in subparagraph 1. higher than the state average calculated in subparagraph 2., a sparsity wealth adjustment shall be calculated as the product of the difference between the state average levy value per FTE calculated in subparagraph 2. and the district's levy value per FTE calculated in subparagraph 1. and the district's FTE student count and -1. However, no district shall have a sparsity wealth adjustment that, when applied to the total potential funds calculated in subparagraph 3., would cause the district's total potential funds per FTE to be less than the state average calculated in subparagraph 4.

6. Each district's sparsity supplement allocation shall be calculated by adding the amount calculated as specified in paragraphs (a) and (b) and the wealth adjustment amount calculated in this paragraph.

(12) 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) If the funds appropriated for current operation of the FEFP 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. *However, no calculation subsequent to the appropriation shall result in negative state funds for any district.*

(13) COMPUTATION OF PRIOR YEAR DISTRICT REQUIRED LOCAL EFFORT.—Calculations required in this section shall be based on 95 percent of the taxable value for school purposes for fiscal years prior to the 2010-2011 fiscal year.

Section 26. Paragraph (a) of subsection (4) of section 1011.64, Florida Statutes, is amended to read:

1011.64 School district minimum classroom expenditure requirements.—

(4) In order for the Department of Education to monitor the implementation of this section, each school district which is required to increase emphasis on classroom activities from operating funds pursuant to subsection (1) shall submit to the department the following two reports in a format determined by the department:

(a) An initial report, which shall include the proposed budget actions identified for increased classroom expenditures, a description of how such actions are designed to improve student achievement, and a copy of the published statement required by s. 1011.03*(2)*~~(3)~~. This report shall be submitted within 30 days after final budget approval as provided in s. 200.065.

Section 27. Section 1011.66, Florida Statutes, is amended to read:

1011.66 Distribution of FEFP funds.—The distribution of FEFP funds shall be made in payments on or about the 10th and 26th of each month. ~~Upon the request of any school district whose net state FEFP funding is less than 60 percent of its gross state and local FEFP funding, the Department of Education shall distribute to that school district in the first quarter of the fiscal year an amount from the funds appropriated for the FEFP in the General Appropriations Act up to a maximum of 15 percent of that school district's gross state and local FEFP funding or that school district's net state FEFP funding, whichever is less.~~

Section 28. Subsection (1) of section 1011.67, Florida Statutes, is amended to read:

1011.67 Funds for instructional materials.—

(1) The department is authorized to allocate and distribute to each district an amount as prescribed annually by the Legislature for instructional materials for student membership in basic and special programs in grades K-12, which will provide for growth and maintenance needs. For purposes of this subsection, unweighted full-time equivalent students enrolled in the lab schools in state universities are to be included as school district students and reported as such to the department. ~~These funds shall be distributed to school districts as follows: 50 percent on or about July 10; 35 percent on or about October 10; 10 percent on or about January 10; and 5 percent on or about June 10.~~ The annual allocation shall be determined as follows:

(a) The growth allocation for each school district shall be calculated as follows:

1. Subtract from that district's projected full-time equivalent membership of students in basic and special programs in grades K-12 used in determining the initial allocation of the Florida Education Finance Program, the prior year's full-time equivalent membership of students in basic and special programs in grades K-12 for that district.

2. Multiply any such increase in full-time equivalent student membership by the allocation for a set of instructional materials, as determined by the department, or as provided for in the General Appropriations Act.

3. The amount thus determined shall be that district's initial allocation for growth for the school year. However, the department shall recompute and adjust the initial allocation based on actual full-time equivalent student membership data for that year.

(b) The maintenance of the instructional materials allocation for each school district shall be calculated by multiplying each district's prior year full-time equivalent membership of students in basic and special programs in grades K-12 by the allocation for maintenance of a set of instructional materials as provided for in the General Appropriations Act. The amount thus determined shall be that district's initial allocation for maintenance for the school year; however, the department shall recompute and adjust the initial allocation based on such actual full-time equivalent student membership data for that year.

(c) In the event the funds appropriated are not sufficient for the purpose of implementing this subsection in full, the department shall prorate the funds available for instructional materials after first funding in full each district's growth allocation.

Section 29. Subsection (2) of section 1011.68, Florida Statutes, is amended to read:

1011.68 Funds for student transportation.—The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

(2) The allocation for each district shall be calculated annually in accordance with the following formula:

T = B + EX. The elements of this formula are defined as follows: T is the total dollar allocation for transportation. B is the base transportation dollar allocation prorated by an adjusted student membership count. The adjusted membership count shall be derived from a multiplicative index function in which the base student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. EX is the base transportation dollar allocation for disabled students prorated by an adjusted disabled student membership count. The base transportation dollar allocation for disabled students is the total state base disabled student membership count weighted for increased costs associated with transporting disabled students and multiplying it by *an* ~~the prior year's~~ average per student cost for transportation *as determined by the Legislature*. The adjusted disabled student membership count shall be derived from a multiplicative index function in which the weighted base disabled student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. Each adjustment factor shall be designed to affect the base allocation by no more or less than 10 percent.

Section 30. Paragraph (d) of subsection (2) and paragraph (b) of subsection (3) of section 1011.71, Florida Statutes, are amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(d) ~~Effective July 1, 2008,~~ The purchase, lease-purchase, or lease of new and replacement equipment*; computer hardware, including electronic hardware and other hardware devices necessary for gaining access to or enhancing the use of electronic content and resources or to facilitate the access to and the use of a school district's electronic learning management system pursuant to s. 1006.281, excluding software other than the operating system necessary to operate the hardware or device;*~~,~~ and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements.

(3)

(b) In addition to the millage authorized in this section, each district school board may, by a super majority vote, levy an additional 0.25 mills for critical capital outlay needs or for critical operating needs. If levied for capital outlay, expenditures shall be subject to the requirements of

this section. If levied for operations, expenditures shall be consistent with the requirements for operating funds received pursuant to s. 1011.62. If the district levies this additional 0.25 mills for operations, the compression adjustment pursuant to s. 1011.62(5) shall be calculated and added to the district's FEFP allocation. Millage levied pursuant to this paragraph is subject to the provisions of s. 200.065. In order to be continued *after the 2010-2011 fiscal year*, millage levied pursuant to this paragraph must be approved by the voters of the district at the *2010* ~~next~~ general election *or at a subsequent election held at any time, except that not more than one such election shall be held during any 12-month period. Any millage so authorized shall be levied for a period not in excess of 2 years or until changed by another millage election, whichever is earlier. If any such election is invalidated by a court of competent jurisdiction, such invalidated election shall be considered not to have been held.*

Section 31. Subsection (2) of section 1011.73, Florida Statutes, is amended to read:

1011.73 District millage elections.—

(2) MILLAGE AUTHORIZED NOT TO EXCEED 4 YEARS.—The district school board, pursuant to resolution adopted at a regular meeting, shall direct the county commissioners to call an election at which the electors within the school district may approve an ad valorem tax millage as authorized under s. 1011.71*(9)*~~(8)~~. Such election may be held at any time, except that not more than one such election shall be held during any 12-month period. Any millage so authorized shall be levied for a period not in excess of 4 years or until changed by another millage election, whichever is earlier. If any such election is invalidated by a court of competent jurisdiction, such invalidated election shall be considered not to have been held.

Section 32. Paragraph (g) of subsection (3) of section 1012.33, Florida Statutes, is amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(3)

(g) Beginning July 1, 2001, for each employee who enters into a written contract, pursuant to this section, in a school district in which the employee was not employed as of June 30, 2001, or was employed as of June 30, 2001, but has since broken employment with that district for 1 school year or more, for purposes of pay, a district school board must recognize and accept each year of full-time public school teaching service earned in the State of Florida for which the employee received a satisfactory performance evaluation; however, an employee may voluntarily waive this provision. Instructional personnel employed pursuant to s. 121.091(9)(b) *and (c)* are exempt from the provisions of this paragraph.

Section 33. Paragraph (a) of subsection (7) of section 1012.467, Florida Statutes, is amended to read:

1012.467 Noninstructional contractors who are permitted access to school grounds when students are present; background screening requirements.—

(7)(a) The Department of Law Enforcement shall implement a system that allows for the results of a criminal history check provided to a school district to be shared with other school districts through a secure Internet website or other secure electronic means. The Department of Law Enforcement may adopt rules under ss. 120.536(1) and 120.54 to implement this paragraph. *School districts must accept reciprocity of level 2 screenings for Florida High School Athletic Association officials.*

Section 34. Subsection (1) of section 1012.55, Florida Statutes, is amended to read:

1012.55 Positions for which certificates required.—

(1) The State Board of Education shall classify school services, designate the certification subject areas, establish competencies, including the use of technology to enhance student learning, and certification requirements for all school-based personnel, and adopt rules in accordance with which the professional, temporary, and part-time certificates shall be issued by the Department of Education to applicants who meet the standards prescribed by such rules for their class of service. Each person employed or occupying a position as school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or other position in which the employee serves in an instructional capacity, in any public school of any district of this state shall hold the certificate required by law and by rules of the State Board of Education in fulfilling the requirements of the law for the type of service rendered. *Such positions include personnel providing direct instruction to students through a virtual environment or through a blended virtual and physical environment.* The Department of Education shall identify appropriate educator certification for the instruction of specified courses in an annual publication of a directory of course code numbers for all programs and courses that are funded through the Florida Education Finance Program. However, the state board shall adopt rules authorizing district school boards to employ selected noncertificated personnel to provide instructional services in the individuals' fields of specialty or to assist instructional staff members as education paraprofessionals.

Section 35. Paragraph (a) of subsection (1) of section 1013.62, Florida Statutes, is 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.

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 3 or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds; ~~or~~

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools*; or*

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have financial stability for future operation as a charter school.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

Section 36. *Special Facility Construction Account study.-The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of the Special Facility Construction Account program to examine the effectiveness of s. 1013.64(2), Florida Statutes, and shall provide recommendations. The study shall examine the criteria to determine program eligibility; the criteria to determine project eligibility; the procedures used to evaluate potential projects; the procedures for determining the priority list; and whether, historically, the funded projects were needed by the districts based on student enrollment data, age, and usefulness of district facilities at the time of the request, on the district's educational plant survey, or on other relevant information. OPPAGA should also make recommendations for improving the process of providing appropriations for projects under the Special Facility Construction Account. OPPAGA shall submit the results of the study to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor no later than January 31, 2011.*

Section 37. *The Commissioner of Education is authorized to administer a one-time student transportation survey for the Jefferson County School District to serve as a substitute for the statewide, scheduled October and February surveys which were omitted by the district. The survey process shall be conducted according to standard survey procedures, and the result shall be incorporated into the 2009-2010 student transportation final calculation. Notwithstanding the requirements of s. 1011.68(5), Florida Statutes, from the funds generated from the transportation sur-*

vey, the school district shall use $50,000 to contract for consulting services to assist in the management of school district operations for 2010-2011. The consultant or consulting group shall be approved by the Commissioner of Education.

Section 38. *There is appropriated $21,244,177 in nonrecurring funds from the General Revenue Fund for the 2010-2011 fiscal year to award bonuses to effective teachers through the Dale Hickam Excellent Teaching Program pursuant to s. 1012.72, Florida Statutes.*

Section 39. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to prekindergarten through grade 12 education funding; amending s. 212.055, F.S.; deleting the requirement that a district school board imposing the school capital outlay surtax implement a freeze on noncapital local school property taxes; amending s. 216.292, F.S.; deleting provisions relating to the transfer of certain funds for class size reduction; amending s. 1001.395, F.S.; extending the duration of a provision specifying methods to calculate the salary of a district school board member; amending s. 1001.451, F.S.; revising provisions relating to the appropriation of funds for regional consortium service organizations; amending s. 1002.32, F.S.; revising and correcting a calculation relating to funding for lab school operating purposes; amending s. 1002.33, F.S.; requiring a charter school to be in compliance with maximum class size requirements based on the school-level average; revising provisions that exempt charter school facilities from certain fees; providing that certain capital outlay funds shared with a charter school-in-the-workplace have met expenditure requirements; revising provisions relating to the withholding and use of an administrative fee for provision of services by the sponsor of a charter school; amending s. 1002.37, F.S.; revising and correcting a calculation relating to funding for Florida Virtual School operating purposes; amending s. 1002.39, F.S.; revising provisions relating to private school documentation for quarterly scholarship payments under the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.45, F.S.; providing for school district virtual instruction programs to include programs offered by community colleges; requiring that community college instructors meet certain certification requirements; providing an additional condition by which a student may become eligible to enroll in a school district virtual instruction program; prohibiting a community college from reporting students served in a school district virtual instruction program for funding under the Community College Program Fund; removing obsolete provisions requiring a report; amending s. 1002.71, F.S.; reducing the amount of funds that an early learning coalition may retain for administrative purposes from funds paid to private prekindergarten providers and public schools; amending s. 1003.03, F.S.; requiring the Department of Education to annually calculate class size measures; requiring district school boards to hold public hearings and provide information to parents on district strategies to meet class size requirements; deleting obsolete provisions; revising implementation options; revising requirements for the Department of Education with respect to the calculation of class size and the reduction and reallocation of certain funds; requiring districts that have not complied with class size requirements to submit a plan that describes actions for compliance; providing for alternative class size measures, implementation, calculations, and accountability to take effect upon approval of an amendment to the State Constitution by the electors of the state; providing for retroactive effect; amending s. 1003.42, F.S.; requiring instructional materials relating to the history of African Americans to include certain information; amending s. 1003.492, F.S.; clarifying the duties of the Department of Education in approving the list of industry certifications for career education programs; amending s. 1003.52, F.S.; providing that certain requirements relating to educational services in Department of Juvenile Justice programs shall be implemented to the extent funds are available; amending s. 1004.925, F.S.; revising provisions relating to the certification of automotive service technology education programs; providing a restriction on funding; amending s. 1006.28, F.S.; redefining the term "adequate instructional materials" to include electronic content; creating s. 1006.281, F.S.; encouraging school districts to provide access to an electronic learning management system for teachers, students, and parents; specifying the functionality of such a system; requiring the Department of Education to assist school districts in deploying an electronic learning management system; amending s. 1006.29, F.S.; providing that instructional materials include electronic content; requiring that a publisher or manufacturer providing instructional materials as a single bundle make the materials available separately and priced individually; requiring that instructional materials adopted after a specified date for students in grades 9 through 12 be provided in an electronic format; amending s. 1006.33, F.S.; requiring that an advertisement for bids for instructional materials require the bidder to furnish electronic specimen copies of the materials; providing requirements for requesting certain samples; amending s. 1006.40, F.S.; including electronic content as an approved item of instruction; authorizing the use of funds for electronic or computer hardware under certain circumstances; amending s. 1007.27, F.S.; providing that secondary school students are authorized users of the state-funded electronic library resources licensed for postsecondary institutions; requiring the State Board of Education and the Board of Governors to adopt rules; amending s. 1010.79, F.S.; providing for the use of funds in the Sophomore Level Test Trust Fund; amending s. 1011.03, F.S.; requiring that a district school board post its proposed millage levies online; revising the requirements for publishing the proposed levies in a newspaper; amending s. 1011.62, F.S.; providing for the allocation and use of funds appropriated for the International Baccalaureate program and for students who complete an industry-certified career and professional academy program; revising calculations for school district required local effort; revising provisions relating to the transfer of categorical funds for certain purposes; authorizing a district school board to transfer certain categorical funds for instructional materials; authorizing the purchase of certain hardware; revising the calculation for determination of a district's sparsity supplement; providing that a calculation subsequent to an appropriation does not result in negative state funds for any district; providing for computation of prior year district required local effort; amending s. 1011.64, F.S.; conforming a cross-reference; amending s. 1011.66, F.S.; revising provisions relating to the distribution of FEFP funds; amending s. 1011.67, F.S.; deleting certain requirements for distribution of funds for instructional materials to school districts; amending s. 1011.68, F.S.; revising a calculation for allocation of funds to school districts for student transportation; amending s. 1011.71, F.S.; authorizing the use of capital improvement millage for certain computer hardware and hardware devices; requiring that the levy of certain school district millage must be approved by voters at specified elections; providing restrictions; amending s. 1011.73, F.S.; correcting a cross-reference; amending s. 1012.33, F.S.; exempting specified reemployed instructional personnel from certain requirements for determining pay; amending s. 1012.467, F.S.; requiring school districts to accept reciprocity of certain screening for Florida High School Athletic Association officials; amending s. 1012.55, F.S.; requiring certification for personnel providing direct instruction to students through a virtual environment or through a blended virtual and physical environment; amending s. 1013.62, F.S.; authorizing capital outlay funding for a charter school-in-the-workplace; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study of the Special Facility Construction Account program and make recommendations to the Legislature and Governor; authorizing the Commissioner of Education to administer a one-time student transportation survey for the Jefferson County School District; providing for the use of funds to assist in the management of school district operations; providing an appropriation; providing effective dates.

The Conference Committee Report was read and on motion by Senator Wise was adopted. **CS for HB 5101** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Ring
Baker	Gardiner	Siplin
Bennett	Haridopolos	Smith
Bullard	Jones	Sobel
Constantine	Joyner	Storms
Crist	Lawson	Thrasher
Dean	Lynn	Wilson
Detert	Negron	Wise

Nays—7

Aronberg	Dockery	Garcia

Gelber Rich
Hill Villalobos

Vote after roll call:

Yea to Nay—Bullard, Sobel, Wilson

PAIR VOTES

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Richter on **CS for HB 5101**. If he were present he would vote "yea" and I would vote "nay."

Senator Charlie Justice, 16th District

The Honorable Jeff Atwater, 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 5201, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5201

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5201, same being:

An act relating to Postsecondary Education Funding.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ William L. "Bill" Proctor
Chair
s/ Gary Aubuchon, At Large
s/ Ellyn Setnor Bogdanoff

s/ David Rivera
Council Chair
Mack Bernard
Ronald A. Brisé
At Large
s/ Chris Dorworth
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
s/ H. Marlene O'Toole
Betty Reed
Geraldine F. "Geri" Thompson
At Large

s/ Rachel V. Burgin
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
Mia L. Jones
s/ Seth McKeel
s/ Ron Reagan, At Large
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5201, relating to Postsecondary Education Funding, provides for the following:

- Modifies Bright Futures by:
  - Increasing test score eligibility requirements;
  - Allowing the restoration of a Bright Futures scholarship for first year students;
  - Reducing the number of credits covered by Bright Futures from 110% of program requirements to 100%;
  - Reducing the time to utilize the award to 5 years from 7 years;
  - Encouraging use of acceleration credit, by allowing students who graduate in less than 4 years to utilize up to 15 hours of any remaining award towards 1 semester of graduate study; and
  - Authorizing flat award amounts to be established in the General Appropriation Act.
- Requires state residency confirmation for Workforce Education Programs.
- Encourages the adoption of open access textbooks.
- Provides a process for the coordinated licensing of electronic library resources for use by secondary and postsecondary students in Florida.
- Encourages continued implementation of online registration for online learning.
- Appropriates $25 million for the Bright Futures program contingent upon the receipt of Federal Medical Assistance Percentage (FMAP) funds.
- Modifies university fee limits by:
  - Authorizing all universities to increase the sum of the activity and service, health, and athletic fees up to 15% or the amount to reach the 2009-10 statewide average for the total of these fees, whichever is greater; and
  - Authorizing the sum of these fees to increase each year by 5% or the same percentage increase in tuition authorized by the legislature, whichever is greater.
- Requires the study of a possible merger of public school workforce into community or state colleges by the Office of Program Policy Analysis and Governmental Accounting (OPPAGA).
- Removes specific appropriation provisions for funding baccalaureate degrees at Florida colleges; and establishes that upper-division and lower-division enrollment estimating and expenditure reporting shall be done separately.
- Requires full fee support for Continuing Workforce Education (CWE).
- Authorizes state universities to utilize funds from the 30% tuition differential set-aside for need-based financial aid for students utilizing a prepaid postsecondary tuition scholarship.

• Clarifies statutory provisions relating to the Children and Spouses of Deceased or Disabled Veterans (CSDDV) Program on the use of funds, the award amounts, and the definition of eligible educational institutions.

• Clarifies statutory provisions relating to the Jose Marti and Mary McLeod Bethune scholarship programs to remove obsolete language requiring the deposit of appropriated funds into a trust fund.

• Establishes a reversion schedule for any unencumbered and/or undisbursed funds that were transferred from the Department of Financial Services Workers' Compensation Administration Trust Fund.

• Allows a client in the Injured Workers Program to attend a nonpublic program if recommended by a vocational evaluator and no public college program is available.

• Prohibits a college in the Florida College System from using its resources, including staff, faculty, land, and facilities to support the establishment of a new independent nonpublic educational institution.

• Permits the Historically Black Colleges and Universities Library Improvement funds to be used to purchase electronic as well as print media.

• Establishes October 15 as the transmittal date for the list of eligible projects for the Florida college and state university challenge grant programs.

• Encourages each Florida college and state university to reduce its campus-wide energy consumption by 10 percent and requires a report by January 1, 2011.

• Limits community college president salaries to $225,000 from appropriated state funds.

• Requires the operating agreement entered into with the University of Miami Medical School and the local teaching hospital be transmitted annually to the Department of Education.

• Requires an OPPAGA review of postsecondary educational opportunities for individuals with developmental disabilities.

• Authorizes the Doctor of Pharmacy degree at the University of South Florida (USF) and physically locates the program at the new campus of the USF Polytechnic.

• Authorizes reciprocity of student residency classification from one public institution to another public institution.

Conference Committee Amendment (012391)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 295.02, Florida Statutes, is amended to read:

295.02 Use of funds; age, etc.—

(1) Sums appropriated and expended to carry out the provisions of s. 295.01(1) *may* ~~shall~~ be used to pay tuition and registration fees, board, and room rent and to buy books and supplies for the children of deceased or disabled veterans or servicemembers, as defined and limited in s. 295.01, s. 295.016, s. 295.017, s. 295.018, s. 295.0185, *s. 295.019,* or s. 295.0195, or of parents classified as prisoners of war or missing in action, as defined and limited in s. 295.015, who are between the ages of 16 and 22 years and who are in attendance at *an eligible postsecondary education* ~~a state-supported~~ institution *as defined in s. 295.04* ~~of higher learning, including a community college or career center~~. Any child having entered upon a course of training or education under the provisions of this chapter, consisting of a course of not more than 4 years, and arriving at the age of 22 years before the completion of such course may continue the course and receive all benefits of the provisions of this chapter until the course is completed.

(2) Sums appropriated and expended to carry out the provisions of s. 295.01(2) *may* ~~shall~~ be used to pay tuition and registration fees*, board, and room rent and to buy books and supplies* for the spouses of deceased or disabled veterans or servicemembers, as defined and limited in s. 295.01, who are enrolled at *an eligible postsecondary education* ~~a state-supported~~ institution *as defined in s. 295.04* ~~of higher learning, including a community college or career center~~.

(3) Notwithstanding the benefits-disbursement provision in s. 295.04, such funds shall be applicable for up to 110 percent of the number of required credit hours of an initial baccalaureate degree or certificate program for which the *student* ~~spouse~~ is enrolled.

(4)~~(3)~~ The Department of Education shall administer this educational program subject to regulations of the department.

Section 2. Section 295.04, Florida Statutes, is amended to read:

295.04 Appropriation; benefits.—

(1) The sum necessary for the purposes of this chapter shall be appropriated in the General Appropriations Act for each fiscal year, provided that no student shall receive an amount in excess of tuition and registration fees.

(2) As used in this section, the term "eligible postsecondary education institution" means an institution described in s. 1009.533.

(3)(a) A student who is enrolled in a public eligible postsecondary education institution is eligible for an award equal to the amount required to pay tuition and registration fees or the amount specified in the General Appropriations Act.

(b) A student enrolled in a nonpublic eligible postsecondary education institution is eligible for an award equal to the amount that would be required to pay for the average tuition and registration fees of a public postsecondary education institution at the comparable level or the amount specified in the General Appropriations Act.

(4) Only students in good standing in their respective institutions shall receive the benefits *under this section* ~~thereof, and no student shall receive such benefits for more than 12 quarters, 8 semesters, or 8 trimesters~~.

Section 3. Paragraph (a) of subsection (6) of section 440.491, Florida Statutes, is amended to read:

440.491 Reemployment of injured workers; rehabilitation.—

(6) TRAINING AND EDUCATION.—

(a) Upon referral of an injured employee by the carrier, or upon the request of an injured employee, the department shall conduct a training and education screening to determine whether it should refer the employee for a vocational evaluation and, if appropriate, approve training and education or other vocational services for the employee. The department may not approve formal training and education programs unless it determines, after consideration of the reemployment assessment, pertinent reemployment status reviews or reports, and such other relevant factors as it prescribes by rule, that the reemployment plan is likely to result in return to suitable gainful employment. The department is authorized to expend moneys from the Workers' Compensation Administration Trust Fund, established by s. 440.50, to secure appropriate training and education at a *Florida public* ~~community~~ college ~~as designated in s. 1000.21(3)~~ or at a career center established under s. 1001.44, or to secure other vocational services when necessary to satisfy the recommendation of a vocational evaluator. As used in this paragraph, "appropriate training and education" includes securing a general education diploma (GED), if necessary. The department shall establish training and education standards pertaining to employee eligibility, course curricula and duration, and associated costs. *For purposes of this subsection, training and education services may be secured from additional providers if:*

1. The injured employee currently holds an associate degree and requests to earn a bachelor's degree not offered by a Florida public college located within 50 miles from his or her customary residence;

2. The injured employee's enrollment in an education or training program in a Florida public college or career center would be significantly delayed; or

3. The most appropriate training and education program is available only through a provider other than a Florida public college or career center or at a Florida public college or career center located more than 50 miles from the injured employee's customary residence.

Section 4. Subsection (4) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook affordability.—

(4) ~~By March 1, 2009,~~ The State Board of Education and the Board of Governors each shall adopt policies, procedures, and guidelines for implementation by community colleges and state universities, respectively, that further efforts to minimize the cost of textbooks for students attending such institutions while maintaining the quality of education and academic freedom. The policies, procedures, and guidelines shall provide for the following:

(a) That textbook adoptions are made with sufficient lead time to bookstores so as to confirm availability of the requested materials and, where possible, ensure maximum availability of used books.

(b) That, in the textbook adoption process, the intent to use all items ordered, particularly each individual item sold as part of a bundled package, is confirmed by the course instructor or the academic department offering the course before the adoption is finalized.

(c) That a course instructor or the academic department offering the course determines, before a textbook is adopted, the extent to which a new edition differs significantly and substantively from earlier versions and the value of changing to a new edition *or the extent to which an open-access textbook may exist and be used*.

(d) That the establishment of policies shall address the availability of required textbooks to students otherwise unable to afford the cost*, including consideration of the extent to which an open-access textbook may be used*.

(e) That course instructors and academic departments are encouraged to participate in the development, adaptation, and review of open-access textbooks and, in particular, open-access textbooks for high-demand general education courses.

Section 5. Paragraph (b) of subsection (2) of section 1004.091, Florida Statutes, is amended to read:

1004.091 Florida Distance Learning Consortium.—

(2) The Florida Distance Learning Consortium shall:

(b) Develop, in consultation with the Florida College System and the State University System, a plan to be submitted to the Board of Governors, the State Board of Education, the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than *December* ~~March~~ 1, 2010*, for implementing*~~. The plan must address the implementation of~~ a streamlined, automated, online registration process for undergraduate students who have been admitted to a public postsecondary educational institution and who wish to enroll in a course listed in the Florida Higher Education Distance Learning Catalog, including courses offered by an institution that is not the student's degree-granting or home institution. The plan must describe how such a registration process can be implemented *by the 2011-2012 academic year* as an alternative to the standard registration process of each institution. The plan must also address:

1. Fiscal and substantive policy changes needed to address administrative, academic, and programmatic policies and procedures. *Policy areas that the plan must address include, but need not be limited to, student financial aid issues, variations in fees, admission and readmission, registration-prioritization issues, transfer of credit, and graduation requirements, with specific attention given to creating recommended guidelines that address students who attend more than one institution in pursuit of a degree.*

2. A method for the expedited transfer of distance learning course credit awarded by an institution offering a distance learning course to a student's degree-granting or home institution upon the student's successful completion of the distance learning course.

3. Compliance with applicable technology security standards and guidelines to ensure the secure transmission of student information.

Section 6. Section 1004.387, Florida Statutes, is created to read:

1004.387 Doctor of pharmacy degree program at the University of South Florida.—A doctor of pharmacy degree program is authorized at the University of South Florida. The program shall be physically located on the new campus of the University of South Florida Polytechnic. The university is authorized to develop and implement the program within existing facilities only until the construction of a pharmacy facility on the new campus of the University of South Florida Polytechnic is completed, which shall house the doctor of pharmacy degree program.

Section 7. Paragraph (c) is added to subsection (7) of section 1004.65, Florida Statutes, to read:

1004.65 Florida colleges; governance, mission, and responsibilities.—

(7) Funding for Florida colleges shall reflect their mission as follows:

(c) The resources of a Florida college, including staff, faculty, land, and facilities, shall not be used to support the establishment of a new independent nonpublic educational institution. If any institution uses resources for such purpose, the Division of Florida Colleges shall notify the President of the Senate and the Speaker of the House of Representatives.

Section 8. Paragraph (a) of subsection (3) of section 1006.59, Florida Statutes, is amended to read:

1006.59 The Historically Black College and University Library Improvement Program.—

(3) Each institution shall submit to the State Board of Education a plan for enhancing its library through the following activities:

(a) Each institution shall increase the number of volumes by purchasing replacement books and new titles. Funds shall not be used to purchase periodicals ~~or nonprint media~~. The goal of these purchases is to meet the needs of students and faculty in disciplines that have recently been added to the curriculum, in traditional academic fields that have been expanded, or in academic fields in which rapid changes in technology result in accelerated obsolescence of related library holdings.

Section 9. Section 1006.72, Florida Statutes, is created to read:

1006.72 Licensing electronic library resources.—

(1) FINDINGS.—The Legislature finds that the most cost-efficient and cost-effective means of licensing electronic library resources requires that Florida colleges and state universities collaborate with school districts and public libraries in the identification and acquisition of such resources needed by more than one sector.

(2) PROCESS TO IDENTIFY RESOURCES.—Library staff from Florida colleges, state universities, school districts, and public libraries shall implement a process that annually identifies the electronic library resources for each of the core categories established in this section. To the extent possible, the Florida Center for Library Automation, the College Center for Library Automation, and the Division of Library and Information Services within the Department of State shall jointly coordinate this annual process.

(3) STATEWIDE CORE RESOURCES.—For purposes of licensing electronic library resources of the Florida Electronic Library, library representatives from public libraries, school districts, Florida colleges, and state universities shall identify the statewide core resources that will be available to all students, teachers, and citizens of the state.

(4) POSTSECONDARY EDUCATION CORE RESOURCES.—For purposes of licensing electronic library resources required by both the Florida Center for Library Automation and the College Center for Library Automation from funds appropriated to the centers, Florida college and state university library staff shall identify the postsecondary education core resources that will be available to all public postsecondary education students.

(5) FOUR-YEAR DEGREE CORE RESOURCES.—For purposes of licensing electronic library resources beyond the postsecondary education core resources by the Florida Center for Library Automation from funds appropriated to the center, state university library staff, in consultation with Florida college library staff, shall identify the 4-year degree core resources that will be available to all 4-year degree-seeking students in the State University System and the Florida College System. The Florida Center for Library Automation shall include in the negotiated pricing model any Florida college interested in licensing a resource.

(6) TWO-YEAR DEGREE CORE RESOURCES.—For purposes of licensing electronic library resources beyond the postsecondary education core resources by the College Center for Library Automation from funds appropriated to the center, Florida college library staff shall identify the 2-year degree core resources that will be available to all Florida college students. The College Center for Library Automation shall include in the negotiated pricing model any state university interested in licensing a resource.

Section 10. Section 1009.21, Florida Statutes, is amended to read:

1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in *postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in* community colleges*,* and *in* state universities.

(1) As used in this section, the term:

(a) "Dependent child" means any person, whether or not living with his or her parent, who is eligible to be claimed by his or her parent as a dependent under the federal income tax code.

(b) "Initial enrollment" means the first day of class at an institution of higher education.

(c) "Institution of higher education" means any *charter technical career center as defined in s. 1002.34, career center operated by a school district as defined in s. 1001.44,* community college as defined in s. 1000.21(3)*,* or state university as defined in s. 1000.21(6).

(d) "Legal resident" or "resident" means a person who has maintained his or her residence in this state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17.

(e) "Nonresident for tuition purposes" means a person who does not qualify for the in-state tuition rate.

(f) "Parent" means the natural or adoptive parent or legal guardian of a dependent child.

(g) "Resident for tuition purposes" means a person who qualifies as provided in this section for the in-state tuition rate.

(2)(a) To qualify as a resident for tuition purposes:

1. A person or, if that person is a dependent child, his or her parent or parents must have established legal residence in this state and must have maintained legal residence in this state for at least 12 consecutive months immediately prior to his or her initial enrollment in an institution of higher education.

2. Every applicant for admission to an institution of higher education shall be required to make a statement as to his or her length of residence in the state and, further, shall establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in the state currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

(b) However, with respect to a dependent child living with an adult relative other than the child's parent, such child may qualify as a resident for tuition purposes if the adult relative is a legal resident who has maintained legal residence in this state for at least 12 consecutive months immediately prior to the child's initial enrollment in an institution of higher education, provided the child has resided continuously with such relative for the 5 years immediately prior to the child's initial enrollment in an institution of higher education, during which time the adult relative has exercised day-to-day care, supervision, and control of the child.

(c) The legal residence of a dependent child whose parents are divorced, separated, or otherwise living apart will be deemed to be this state if either parent is a legal resident of this state, regardless of which parent is entitled to claim, and does in fact claim, the minor as a dependent pursuant to federal individual income tax provisions.

(3)(a) An individual shall not be classified as a resident for tuition purposes and, thus, shall not be eligible to receive the in-state tuition rate until he or she has provided such evidence related to legal residence and its duration or, if that individual is a dependent child, evidence of his or her parent's legal residence and its duration, as may be required by law and by officials of the institution of higher education from which he or she seeks the in-state tuition rate.

(b) Except as otherwise provided in this section, evidence of legal residence and its duration shall include clear and convincing documentation that residency in this state was for a minimum of 12 consecutive months prior to a student's initial enrollment in an institution of higher education.

(c) Each institution of higher education shall affirmatively determine that an applicant who has been granted admission to that institution as a Florida resident meets the residency requirements of this section at the time of initial enrollment. The residency determination must be documented by the submission of written or electronic verification that includes two or more of the documents identified in this paragraph. No single piece of evidence shall be conclusive.

1. The documents must include at least one of the following:

a. A Florida voter's registration card.

b. A Florida driver's license.

c. A State of Florida identification card.

d. A Florida vehicle registration.

e. Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.

f. Proof of a homestead exemption in Florida.

g. Transcripts from a Florida high school for multiple years if the Florida high school diploma or GED was earned within the last 12 months.

h. Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.

2. The documents may include one or more of the following:

a. A declaration of domicile in Florida.

b. A Florida professional or occupational license.

c. Florida incorporation.

d. A document evidencing family ties in Florida.

e. Proof of membership in a Florida-based charitable or professional organization.

f. Any other documentation that supports the student's request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.

(4) With respect to a dependent child, the legal residence of the dependent child's parent or parents is prima facie evidence of the dependent child's legal residence, which evidence may be reinforced or rebutted, relative to the age and general circumstances of the dependent child, by the other evidence of legal residence required of or presented by

the dependent child. However, the legal residence of a dependent child's parent or parents who are domiciled outside this state is not prima facie evidence of the dependent child's legal residence if that dependent child has lived in this state for 5 consecutive years prior to enrolling or re-registering at the institution of higher education at which resident status for tuition purposes is sought.

(5) In making a domiciliary determination related to the classification of a person as a resident or nonresident for tuition purposes, the domicile of a married person, irrespective of sex, shall be determined, as in the case of an unmarried person, by reference to all relevant evidence of domiciliary intent. For the purposes of this section:

(a) A person shall not be precluded from establishing or maintaining legal residence in this state and subsequently qualifying or continuing to qualify as a resident for tuition purposes solely by reason of marriage to a person domiciled outside this state, even when that person's spouse continues to be domiciled outside of this state, provided such person maintains his or her legal residence in this state.

(b) A person shall not be deemed to have established or maintained a legal residence in this state and subsequently to have qualified or continued to qualify as a resident for tuition purposes solely by reason of marriage to a person domiciled in this state.

(c) In determining the domicile of a married person, irrespective of sex, the fact of the marriage and the place of domicile of such person's spouse shall be deemed relevant evidence to be considered in ascertaining domiciliary intent.

(6)(a) Except as otherwise provided in this section, a person who is classified as a nonresident for tuition purposes may become eligible for reclassification as a resident for tuition purposes if that person or, if that person is a dependent child, his or her parent presents clear and convincing documentation that supports permanent legal residency in this state for at least 12 consecutive months rather than temporary residency for the purpose of pursuing an education, such as documentation of full-time permanent employment for the prior 12 months or the purchase of a home in this state and residence therein for the prior 12 months while not enrolled in an institution of higher education.

(b) If a person who is a dependent child and his or her parent move to this state while such child is a high school student and the child graduates from a high school in this state, the child may become eligible for reclassification as a resident for tuition purposes when the parent submits evidence that the parent qualifies for permanent residency.

(c) If a person who is a dependent child and his or her parent move to this state after such child graduates from high school, the child may become eligible for reclassification as a resident for tuition purposes after the parent submits evidence that he or she has established legal residence in the state and has maintained legal residence in the state for at least 12 consecutive months.

(d) A person who is classified as a nonresident for tuition purposes and who marries a legal resident of the state or marries a person who becomes a legal resident of the state may, upon becoming a legal resident of the state, become eligible for reclassification as a resident for tuition purposes upon submitting evidence of his or her own legal residency in the state, evidence of his or her marriage to a person who is a legal resident of the state, and evidence of the spouse's legal residence in the state for at least 12 consecutive months immediately preceding the application for reclassification.

(7) A person shall not lose his or her resident status for tuition purposes solely by reason of serving, or, if such person is a dependent child, by reason of his or her parent's or parents' serving, in the Armed Forces outside this state.

(8) A person who has been properly classified as a resident for tuition purposes but who, while enrolled in an institution of higher education in this state, loses his or her resident tuition status because the person or, if he or she is a dependent child, the person's parent or parents establish domicile or legal residence elsewhere shall continue to enjoy the in-state tuition rate for a statutory grace period, which period shall be measured from the date on which the circumstances arose that culminated in the loss of resident tuition status and shall continue for 12 months. However, if the 12-month grace period ends during a semester or academic term for which such former resident is enrolled, such grace period shall be extended to the end of that semester or academic term.

(9) Any person who ceases to be enrolled at or who graduates from an institution of higher education while classified as a resident for tuition purposes and who subsequently abandons his or her domicile in this state shall be permitted to reenroll at an institution of higher education in this state as a resident for tuition purposes without the necessity of meeting the 12-month durational requirement of this section if that person has reestablished his or her domicile in this state within 12 months of such abandonment and continuously maintains the reestablished domicile during the period of enrollment. The benefit of this subsection shall not be accorded more than once to any one person.

(10) The following persons shall be classified as residents for tuition purposes:

(a) Active duty members of the Armed Services of the United States residing or stationed in this state, their spouses, and dependent children, and active drilling members of the Florida National Guard.

(b) Active duty members of the Armed Services of the United States and their spouses and dependents attending a public community college or state university within 50 miles of the military establishment where they are stationed, if such military establishment is within a county contiguous to Florida.

(c) United States citizens living on the Isthmus of Panama, who have completed 12 consecutive months of college work at the Florida State University Panama Canal Branch, and their spouses and dependent children.

(d) Full-time instructional and administrative personnel employed by state public schools and institutions of higher education and their spouses and dependent children.

(e) Students from Latin America and the Caribbean who receive scholarships from the federal or state government. Any student classified pursuant to this paragraph shall attend, on a full-time basis, a Florida institution of higher education.

(f) Southern Regional Education Board's Academic Common Market graduate students attending Florida's state universities.

(g) Full-time employees of state agencies or political subdivisions of the state when the student fees are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training.

(h) McKnight Doctoral Fellows and Finalists who are United States citizens.

(i) United States citizens living outside the United States who are teaching at a Department of Defense Dependent School or in an American International School and who enroll in a graduate level education program which leads to a Florida teaching certificate.

(j) Active duty members of the Canadian military residing or stationed in this state under the North American Air Defense (NORAD) agreement, and their spouses and dependent children, attending a community college or state university within 50 miles of the military establishment where they are stationed.

(k) Active duty members of a foreign nation's military who are serving as liaison officers and are residing or stationed in this state, and their spouses and dependent children, attending a community college or state university within 50 miles of the military establishment where the foreign liaison officer is stationed.

(11) Once a student has been classified as a resident for tuition purposes, an institution of higher education to which the student transfers is not required to reevaluate the classification unless inconsistent information suggests that an erroneous classification was made or the student's situation has changed. However, the student must have attended the institution making the initial classification within the prior 12 months and the residency classification must be noted on the student's transcript. The Higher Education Coordinating Council shall consider issues related to residency determinations and make recommendations relating to efficiency and effectiveness of current law.

(12)~~(11)~~ Each institution of higher education shall establish a residency appeal committee comprised of at least three members to consider student appeals of residency determinations, in accordance with the institution's official appeal process. The residency appeal committee must render to the student the final residency determination in writing. The institution must advise the student of the reasons for the determination.

(13)~~(12)~~ The State Board of Education and the Board of Governors shall adopt rules to implement this section.

Section 11. Paragraphs (b) and (g) of subsection (3) and subsection (11) of section 1009.22, Florida Statutes, are amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)

(b) Fees for continuing workforce education shall be locally determined by the district school board or community college board. ~~However, at least 50 percent of the~~ Expenditures for the continuing workforce education program provided by the community college or school district must be *fully supported by* ~~derived from~~ fees. *Enrollments in continuing workforce education courses may not be counted for purposes of funding full-time equivalent enrollment.*

(g) The State Board of Education *may* ~~shall~~ adopt, by rule, the definitions and procedures that district school boards and community college boards of trustees shall use in the calculation of cost borne by students.

(11) Any school district or community college that reports students who have not paid fees in an approved manner in calculations of full-time equivalent enrollments for state funding purposes shall be penalized at a rate equal to 2 times the value of such enrollments. Such penalty shall be charged against the following year's allocation from workforce education funds or the Community College Program Fund and shall revert to the General Revenue Fund. The State Board of Education shall specify, *as necessary* in rule, approved methods of student fee payment. Such methods must include, but need not be limited to, student fee payment; payment through federal, state, or institutional financial aid; and employer fee payments.

Section 12. Paragraph (d) of subsection (4) and paragraph (a) of subsection (16) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course shall not exceed 40 percent of the tuition established in law or in the General Appropriations Act. No university shall be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year*, or the same percentage increase in tuition authorized under paragraph (b), whichever is greater,* unless specifically authorized in law or in the General Appropriations Act. A university may increase its athletic fee to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection (12) and cannot exceed $2 per credit hour. Notwithstanding the provisions of ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection that causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap shall not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. *Notwithstanding this paragraph and subject to approval by the board of trustees, each state university is authorized to exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase shall not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees shall not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee committee pursuant to subsection (10), subsection (11), or subsection (12).*

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. The tuition differential shall promote improvements in the quality of undergraduate education and shall provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential shall be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. *Except as otherwise provided in this subsection,* the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, shall be expended to provide financial aid to undergraduate students who exhibit financial need*, including students who are scholarship recipients under s. 1009.984,* to meet the cost of university attendance. This expenditure for need-based financial aid shall not supplant the amount of need-based aid provided to undergraduate students in the preceding fiscal year from financial aid fee revenues, the direct appropriation for financial assistance provided to state universities in the General Appropriations Act, or from private sources. *The total amount of tuition differential waived under subparagraph (b)8. may be included in calculating the expenditures for need-based financial aid to undergraduate students required by this subsection.*

Section 13. Subsection (2) of section 1009.531, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(2)*(a) For students graduating from high school prior to the 2010-2011 academic year,* a student is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-year eligibility period for his or her initial award shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 7-year renewal period shall commence upon the date of separation from active duty.

(b) For students graduating from high school in the 2010-2011 academic year and thereafter, a student is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe

may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.

(6)(a) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Academic Scholars award, pursuant to s. 1009.534(1)(a) or (b), as follows:

1. For high school students graduating in the 2010-2011 and 2011-2012 academic years, the student must earn an SAT score of 1270 or a concordant ACT score of 28.

2. For high school students graduating in the 2012-2013 academic year, the student must earn an SAT score of 1280 which corresponds to the 88th SAT percentile rank or a concordant ACT score of 28.

3. For high school students graduating in the 2013-2014 academic year and thereafter, the student must earn an SAT score of 1290 which corresponds to the 89th SAT percentile rank or a concordant ACT score of 29.

(b) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Medallion Scholars award, pursuant to s. 1009.535(1)(a) or (b), as follows:

1. For high school students graduating in the 2010-2011 academic year, the student must earn an SAT score of 970 or a concordant ACT score of 20 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score of 23.

2. For high school students graduating in the 2011-2012 academic year, the student must earn an SAT score of 980 which corresponds to the 44th SAT percentile rank or a concordant ACT score of 21 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score of 23.

3. For high school students graduating in the 2012-2013 academic year, the student must earn an SAT score of 1020 which corresponds to the 50th SAT percentile rank or a concordant ACT score of 22 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score of 23.

4. For high school students graduating in the 2013-2014 academic year and thereafter, the student must earn an SAT score of 1050 which corresponds to the 56th SAT percentile rank or a concordant ACT score of 23 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1100 or a concordant ACT score of 24.

(c) The SAT percentile ranks and corresponding SAT scores specified in paragraphs (a) and (b) are based on the SAT percentile ranks for 2009 college-bound seniors in critical reading and mathematics as reported by the College Board. The next highest SAT score is used when the percentile ranks do not directly correspond.

Section 14. Section 1009.532, Florida Statutes, is amended to read:

1009.532 Florida Bright Futures Scholarship Program;

student eligibility requirements for renewal awards.—

(1) To be eligible to renew a scholarship from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Effective for students funded in the 2009-2010 academic year and thereafter, earn at least 24 semester credit hours or the equivalent in the last academic year in which the student earned a scholarship if the student was enrolled full time, or a prorated number of credit hours as determined by the Department of Education if the student was enrolled less than full time for any part of the academic year. *For students initially eligible prior to the 2010-2011 academic term,* if a student fails to earn the minimum number of hours required to renew the scholarship, the student shall lose his or her eligibility for renewal for a period equivalent to 1 academic year. Such student is eligible to restore the award the following academic year if the student earns the hours for which he or she was enrolled at the level defined by the department and meets the grade point average for renewal. A student is eligible for such restoration one time. The department shall notify eligible recipients of the provisions of this paragraph. Each institution shall notify award recipients of the provisions of this paragraph during the registration process.

(b) Maintain the cumulative grade point average required by the scholarship program, except that:

1. If a recipient's grades fall beneath the average required to renew a Florida Academic Scholarship, but are sufficient to renew a Florida Medallion Scholarship or a Florida Gold Seal Vocational Scholarship, the Department of Education may grant a renewal from one of those other scholarship programs, if the student meets the renewal eligibility requirements;

2. *For students initially eligible prior to the 2010-2011 academic term,* if~~,~~ at any time during the eligibility period~~,~~ a student's grades are insufficient to renew the scholarship, the student may restore eligibility by improving the grade point average to the required level. A student is eligible for such a restoration one time. The Legislature encourages education institutions to assist students to calculate whether or not it is possible to raise the grade point average during the summer term. If the institution determines that it is possible, the education institution may so inform the department, which may reserve the student's award if funds are available. The renewal, however, must not be granted until the student achieves the required cumulative grade point average. If the summer term is not sufficient to raise the grade point average to the required renewal level, the student's next opportunity for renewal is the fall semester of the following academic year; or

3. *For students initially eligible in the 2010-2011 academic term and thereafter, if at any time during a student's first academic year the student's grades are insufficient to renew the scholarship, the student may restore eligibility by improving the grade point average to the required level. A student is eligible for such a restoration one time. The Legislature encourages education institutions to assist students to calculate whether or not it is possible to raise the grade point average during the summer term. If the education institution determines that it is possible, the institution may so inform the department, which may reserve the student's award if funds are available. The renewal, however, must not be granted until the student achieves the required cumulative grade point average. If the summer term is not sufficient to raise the grade point average to the required renewal level, the student's next opportunity for renewal is the fall semester of the following academic year.* ~~If a student is receiving a Florida Bright Futures Scholarship, is a servicemember of the Florida National Guard or United States Reserves while attending a postsecondary institution, is called to active duty or state active duty, as defined in s. 250.01, prior to completing his or her degree, and meets all other requirements for the scholarship, the student shall be eligible to continue the scholarship for 2 years after completing active duty or state active duty.~~

(c) Reimburse or make satisfactory arrangements to reimburse the institution for the award amount received for courses dropped after the end of the drop and add period or courses from which the student withdraws after the end of the drop and add period unless the student has received an exception pursuant to s. 1009.53(11).

(2) For students initially eligible in the 2010-2011 academic term and thereafter, and unless otherwise provided in this section, if a student does not meet the requirements for renewal of a scholarship because of lack of completion of sufficient credit hours or insufficient grades, the scholarship shall be renewed only if the student failed to complete sufficient credit hours or to meet sufficient grade requirements due to verifiable illness or other documented emergency, in which case the student may be granted an exception from academic requirements pursuant to s. 1009.40(1)(b)4.

(3)~~(2)~~ A student who is *initially eligible prior to the 2010-2011 academic year and is* enrolled in a program that terminates in an associate degree or a baccalaureate degree may receive an award for a maximum of 110 percent of the number of credit hours required to complete the program. A student who is enrolled in a program that terminates in a career certificate may receive an award for a maximum of 110 percent of the credit hours or clock hours required to complete the program up to 90 credit hours. *For a student who is initially eligible in the 2010-2011 academic term and thereafter, the student may receive an award for a maximum of 100 percent of the number of credit hours required to com-*

plete an associate degree program or a baccalaureate degree program, or the student may receive an award for a maximum of 100 percent of the credit hours or clock hours required to complete up to 90 credit hours of a program that terminates in a career certificate. A student who transfers from one of these program levels to another becomes eligible for the higher of the two credit hour limits.

Section 15. Subsections (1) and (5) of section 1009.534, Florida Statutes, are amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score *pursuant to s. 1009.531(6)(a)* ~~identified by rules of the State Board of Education~~ on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; ~~or~~

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12 or has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score *pursuant to s. 1009.531(6)(a)* ~~identified by rules of the State Board of Education~~ on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; ~~or~~

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office; ~~or~~

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient. A student must complete a program of community service work, as approved by the district school board or the administrators of a nonpublic school, which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

(5) Notwithstanding subsections (2) and (4), a Florida Academic Scholar is eligible for an award equal to the amount specified in the General Appropriations Act ~~for the 2009-2010 academic year~~. ~~This subsection expires July 1, 2010.~~

Section 16. Section 1009.5341, Florida Statutes, is created to read:

1009.5341 Florida Bright Futures Scholarship awards for graduate study.—Florida Bright Futures Scholarship recipients who graduate in the 2010-2011 academic year and thereafter with a baccalaureate degree in 7 semesters, or the equivalent or fewer hours, and wish to pursue graduate study may apply the unused portion of their Florida Academic Scholars award or Florida Medallion Scholars award toward 1 semester of graduate study, not to exceed 15 semester hours paid at the undergraduate rate. A baccalaureate degree may include, but is not limited to, college credits earned through articulated acceleration mechanisms pursuant to s. 1007.27.

Section 17. Subsections (1) and (4) of section 1009.535, Florida Statutes, are amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score *pursuant to s. 1009.531(6)(b)* ~~identified by rules of the State Board of Education~~ on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; ~~or~~

(b) Has ~~attended a home education program according to s. 1002.41 during grades 11 and 12 or has~~ completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score *pursuant to s. 1009.531(6)(b)* ~~identified by rules of the State Board of Education~~ on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; ~~or~~

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program, if the student's parent cannot document a college-preparatory curriculum as described in paragraph (a);

(d)~~(c)~~ Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed a program of community service as provided in s. 1009.534; or

(e)~~(d)~~ Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed a program of community service as provided in s. 1009.534.

(4) Notwithstanding subsection (2), a Florida Medallion Scholar is eligible for an award equal to the amount specified in the General Appropriations Act ~~for the 2009-2010 academic year~~. ~~This subsection expires July 1, 2010.~~

Section 18. Subsections (4) and (5) of section 1009.536, Florida Statutes, are amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(4) A student may earn a Florida Gold Seal Vocational Scholarship for 110 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent. *For a student who is initially eligible in the 2010-2011 academic term and thereafter, the student may earn a Florida Gold Seal Vocational Scholarship for 100 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent.*

(5) Notwithstanding subsection (2), a Florida Gold Seal Vocational Scholar is eligible for an award equal to the amount specified in the General Appropriations Act ~~for the 2009-2010 academic year~~. ~~This subsection expires July 1, 2010.~~

Section 19. *Sections 1009.537 and 1009.5385, Florida Statutes, are repealed.*

Section 20. Subsections (2), (3), and (4) of section 1009.72, Florida Statutes, are amended to read:

1009.72 Jose Marti Scholarship Challenge Grant Program.—

(2) ~~Funds appropriated by the Legislature for the program shall be deposited in the State Student Financial Assistance Trust Fund. The Chief Financial Officer shall authorize expenditures from the trust fund upon receipt of vouchers approved by the Department of Education.~~ All moneys collected from private sources for the purposes of this section shall be deposited into the *State Student Financial Assistance* Trust Fund. Any balance in the trust fund at the end of any fiscal year *which* ~~that~~ has been allocated to the program shall remain therein and shall be available for carrying out the purposes of the program. *All funds deposited into the trust fund for the program shall be invested pursuant to s. 17.61. Interest income accruing to that portion of the funds which are allocated to the program in the trust fund and not matched shall increase the total funds available for the program.*

(3) The Legislature *may appropriate funds* ~~shall designate funds to be transferred to the trust fund~~ for the program from the General Revenue Fund. Such funds shall be divided into challenge grants to be administered by the Department of Education. ~~All appropriated funds deposited into the trust fund for the program shall be invested pursuant to the provisions of s. 17.61. Interest income accruing to that portion of the funds that are allocated to the program in the trust fund and not matched shall increase the total funds available for the program.~~

(4) The *amounts* ~~amount~~ appropriated ~~to the trust fund~~ for the program shall be allocated by the department on the basis of one $5,000 challenge grant for each $2,500 raised from private sources. Matching funds shall be generated through contributions made after July 1, 1986, and pledged for the purposes of this section. Pledged contributions shall not be eligible for matching prior to the actual collection of the total funds.

Section 21. Subsections (2), (3), and (4) of section 1009.73, Florida Statutes, are amended to read:

1009.73 Mary McLeod Bethune Scholarship Program.—

(2) ~~Funds appropriated by the Legislature for the program shall be deposited in the State Student Financial Assistance Trust Fund. The Chief Financial Officer shall authorize expenditures from the trust fund upon receipt of vouchers approved by the Department of Education.~~ The Department of Education shall receive all moneys collected from private sources for the purposes of this section and shall deposit such moneys into the *State Student Financial Assistance* Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year *which* ~~that~~ has been allocated to the program shall remain in the trust fund and shall be available for carrying out the purposes of the program. *All moneys deposited into the trust fund for the program shall be invested pursuant to s. 17.61. Interest income accruing to that portion of the funds which are allocated to the program in the trust fund and not matched shall increase the total funds available for the program.*

(3) The Legislature *may appropriate funds* ~~shall appropriate moneys to the trust fund~~ for the program from the General Revenue Fund. Such moneys shall be applied to scholarships to be administered by the Department of Education. ~~All moneys deposited into the trust fund for the program shall be invested pursuant to the provisions of s. 17.61. Interest income accruing to the program shall be expended to increase the total moneys available for scholarships.~~

(4) The moneys ~~in the trust fund~~ for the program shall be allocated by the department among the institutions of higher education listed in subsection (1) on the basis of one $2,000 challenge grant for each $1,000 raised from private sources. Matching funds shall be generated through contributions made after July 1, 1990, and pledged for the purposes of this section. Pledged contributions shall not be eligible for matching prior to the actual collection of the total funds. The department shall allocate to each of those institutions a proportionate share of the contributions received on behalf of those institutions and a share of the appropriations and matching funds generated by such institution.

Section 22. Subsection (2) of section 1010.87, Florida Statutes, is amended to read:

1010.87 Workers' Compensation Administration Trust Fund within the Department of Education.—

(2) *Funds appropriated by nonoperating transfer from the Department of Financial Services Workers' Compensation Administration Trust Fund which remain unencumbered as of June 30 or undisbursed as of September 30 shall revert to the Department of Financial Services Workers' Compensation Administration Trust Fund.* ~~Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund.~~

Section 23. Subsection (8) of section 1011.32, Florida Statutes, is amended to read:

1011.32 Community College Facility Enhancement Challenge Grant Program.—

(8) By *October 15* ~~September 1~~ of each year, the State Board of Education shall transmit to the Legislature a list of projects which meet all eligibility requirements to participate in the Community College Facility Enhancement Challenge Grant Program and a budget request which includes the recommended schedule necessary to complete each project.

Section 24. Paragraph (e) of subsection (2) of section 1011.52, Florida Statutes, is amended to read:

1011.52 Appropriation to first accredited medical school.—

(2) In order for a medical school to qualify under the provisions of this section and to be entitled to the benefits herein, such medical school:

(e) Must *have in place* ~~enter into~~ an ~~annual~~ operating agreement ~~each fiscal year~~ with a government-owned hospital that is located in the same county as the medical school and that is a statutory teaching hospital as defined in s. 408.07(45). The ~~annual~~ operating agreement shall provide for the medical school to maintain the same level of affiliation with the hospital, including the level of services to indigent and charity care patients served by the hospital, which was in place in the prior fiscal year. *Each year,* documentation *demonstrating that an* ~~of the~~ operating agreement *is in effect* shall be submitted *jointly* to the Department of Education *by the hospital and the medical school* prior to the payment of moneys from the annual appropriation.

Section 25. Paragraph (a) of subsection (5) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(5) State funding and student fees for workforce education instruction shall be established as follows:

(a) *Expenditures for the continuing workforce education programs provided by the community colleges or school districts must be fully supported by fees. Enrollments in continuing workforce education courses shall not be counted for purposes of funding full-time equivalent enrollment.* ~~For a continuing workforce education course, state funding shall equal 50 percent of the cost of instruction, with student fees, business support, quick response training funds, or other means making up the remaining 50 percent.~~

Section 26. Section 1011.83, Florida Statutes, is amended to read:

1011.83 Financial support of community colleges.—

(1) Each community college that has been approved by the Department of Education and meets the requirements of law and rules of the State Board of Education shall participate in the Community College Program Fund. However, funds to support workforce education programs conducted by community colleges shall be provided pursuant to s. 1011.80.

(2) ~~Funding for baccalaureate degree programs approved pursuant to s. 1007.33 shall be specified in the General Appropriations Act~~. A student in a baccalaureate degree program approved pursuant to s. 1007.33 who is not classified as a resident for tuition purposes pursuant to s. 1009.21 may not be included in calculations of full-time equivalent enrollments for state funding purposes.

~~(3) Funds specifically appropriated by the Legislature for baccalaureate degree programs approved pursuant to s. 1007.33 may be used only for such programs. A community college shall fund the nonrecurring costs related to the initiation of a new baccalaureate degree program under s. 1007.33 without new state appropriations unless special grant funds are appropriated in the General Appropriations Act. A new baccalaureate degree program may not accept students without a recurring legislative appropriation for this purpose.~~

~~(4) State funding for baccalaureate degree programs approved pursuant to s. 1007.33 shall be as provided in the General Appropriations Act.~~

~~(5) A community college that grants baccalaureate degrees shall maintain reporting and funding distinctions between any baccalaureate degree program approved under s. 1007.33 and any other baccalaureate degree programs involving traditional concurrent-use partnerships.~~

Section 27. Paragraph (a) of subsection (3) of section 1011.84, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

1011.84 Procedure for determining state financial support and annual apportionment of state funds to each community college district.— The procedure for determining state financial support and the annual apportionment to each community college district authorized to operate a community college under the provisions of s. 1001.61 shall be as follows:

(3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

(a) By December 15 of each year, the Department of Education shall estimate the annual enrollment of each community college for the current fiscal year and for the *3* ~~6~~ subsequent fiscal years. These estimates shall be based upon prior years' enrollments, upon the initial fall term enrollments for the current fiscal year for each college, and upon each college's estimated current enrollment and demographic changes in the respective community college districts. *Upper-division enrollment shall be estimated separately from lower-division enrollment.*

(g) Expenditures for upper-division enrollment in a community college that grants baccalaureate degrees shall be reported separately from expenditures for lower-division enrollment, in accordance with law and State Board of Education rule.

Section 28. Section 1012.885, Florida Statutes, is created to read:

1012.885 Remuneration of community college presidents; limitations.—

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

(a) "Appropriated state funds" means funds appropriated from the General Revenue Fund or funds appropriated from state trust funds.

(b) "Cash-equivalent compensation" means any benefit that may be assigned an equivalent cash value.

(c) "Remuneration" means salary, bonuses, and cash-equivalent compensation paid to a community college president by his or her employer for work performed, excluding health insurance benefits and retirement benefits.

(2) LIMITATION ON COMPENSATION.—Notwithstanding any other law, resolution, or rule to the contrary, a community college president may not receive more than $225,000 in remuneration annually from appropriated state funds. Only compensation, as defined in s. 121.021(22), provided to a community college president may be used in calculating benefits under chapter 121.

(3) EXCEPTIONS.—This section does not prohibit any party from providing cash or cash-equivalent compensation from funds that are not appropriated state funds to a community college president in excess of the limit in subsection (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a community college president as permitted under this subsection, appropriated state funds may not be used to fulfill such obligation.

Section 29. Subsection (8) of section 1013.79, Florida Statutes, is amended to read:

1013.79 University Facility Enhancement Challenge Grant Program.—

(8) By October *15* ~~1~~ of each year, the Board of Governors shall transmit to the Legislature a list of projects that meet all eligibility requirements to participate in the Alec P. Courtelis University Facility Enhancement Challenge Grant Program and a budget request that includes the recommended schedule necessary to complete each project.

Section 30. *(1) Each Florida college and state university shall strive to reduce its campuswide energy consumption by 10 percent. While savings may be accrued by any means, the goal shall be to implement energy use policies or procedures or both and any equipment retrofits that are necessary to carry out this reduction. The reduction may be obtained by either reducing the cost of the energy consumed or by reducing total energy usage, or a combination of both.*

(2) Energy consumption expenditures incurred during the 2007-2008 fiscal year shall be used to establish the benchmark for the 10-percent goal. If a Florida college or state university can document that it has implemented energy use policies or procedures in the 2008-2009 fiscal year or the 2009-2010 fiscal year that resulted in reduction in energy usage or costs, those reductions may be counted towards the 10-percent goal.

(3) Each Florida college and state university shall submit a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate by January 1, 2011, describing how they have met or plan to meet the 10-percent energy consumption reduction goal.

Section 31. *(1) The Office of Program Policy Analysis and Government Accountability shall conduct a review of the public school adult workforce education programs and the community college and state college workforce education programs for the purpose of identifying and analyzing the positive and negative aspects of merging the school district programs with the community college and state college programs. Questions addressed by the review shall include:*

(a) What types of workforce education programs are offered by school districts and Florida College System institutions and are there differences between the two systems?

(b) What types of students do school districts and Florida College System institutions serve in their workforce education programs and are there differences between the two systems?

(c) What are the student outcomes for workforce education programs offered by school districts and Florida College System institutions and are there differences between the two systems?

(d) How much does Florida spend on workforce education programs and what are the funding sources for these programs?

(e) How is workforce education funding allocated to school districts and Florida College System institutions and how does this compare to other states?

(f) How do individual school districts and Florida College System institutions operate their workforce education programs?

(g) What types of instructional settings, facilities, locations, and faculty do school districts and Florida College System institutions use to deliver workforce education programs?

(h) How do other states structure their workforce education programs?

(2) The Office of Program Policy Analysis and Government Accountability shall submit the results of its review to the President of the Senate and the Speaker of the House of Representatives by December 1, 2010.

Section 32. *The Office of Program Policy Analysis and Government Accountability shall conduct a review of postsecondary educational opportunities for individuals with developmental disabilities. The review shall include, at a minimum, the following issues: opportunities for postsecondary education and vocational training; transitioning from school to the workforce; best practices for providing such postsecondary*

education and training services, including any notable public-private partnerships; and the feasibility and cost of establishing a residential vocational institution to provide postsecondary education and vocational training for individuals with developmental disabilities. The Office of Program Policy Analysis and Government Accountability shall submit the findings of its review to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2011.

Section 33. *There is appropriated $25,000,000 in nonrecurring funds from the General Revenue Fund for the 2010-2011 fiscal year for the Florida Bright Futures Scholarship Program. The funding is contingent upon Florida being eligible to receive federal funds, based on the state's Federal Medical Assistance Percentage (FMAP), in excess of the February 2010 official Social Services Estimating Conference estimate.*

Section 34. This act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to postsecondary education funding; amending s. 295.02, F.S.; revising provisions relating to the use of funds to pay postsecondary education expenses for children and spouses of certain members of the military; amending s. 295.04, F.S.; providing a definition; providing educational benefit award amounts for students at public and nonpublic eligible postsecondary education institutions; amending s. 440.491, F.S.; revising provisions relating to the training and education of injured employees; providing that training and education services may be secured from additional providers under certain circumstances; amending s. 1004.085, F.S.; revising provisions relating to textbook affordability and the policies, procedures, and guidelines adopted by the State Board of Education and the Board of Governors; requiring policies that encourage the use of open-access textbooks; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; extending the deadline for the consortium to develop a plan for implementing an online registration process for undergraduate students to enroll in a course listed in the Florida Higher Education Distance Learning Catalog; requiring the plan to address specified policy areas; creating s. 1004.387, F.S.; authorizing a doctor of pharmacy degree program at the University of South Florida; providing for the program to be physically located on the new campus of the University of South Florida Polytechnic; authorizing the university to develop and implement the program within existing facilities until a pharmacy facility is constructed on the new campus of the University of South Florida Polytechnic; amending s. 1004.65, F.S.; restricting the use of resources of a Florida college; amending s. 1006.59, F.S.; deleting a provision that prohibits institutions participating in the Historically Black College and University Library Improvement Program from using funds to purchase nonprint media; creating s. 1006.72, F.S.; providing requirements for licensing electronic library resources; requiring a process to annually identify electronic library resources for specified core categories; providing requirements for statewide, postsecondary education, 4-year degree, and 2-year degree core resources; amending s. 1009.21, F.S.; revising provisions relating to the determination of resident status for tuition purposes to include students in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts; revising a definition to conform to changes made by the act; providing requirements for recognition of the classification of a student as a resident for tuition purposes by an institution of higher education to which a student transfers; providing requirements of the Higher Education Coordinating Council relating to residency determinations; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; providing that enrollments in continuing workforce education courses may not be counted for purposes of funding full-time equivalent enrollment; authorizing, rather than requiring, certain rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fee increases; authorizing each state university to exceed the cap on the increase to specified fees for the 2010-2011 fiscal year; providing restrictions; authorizing certain calculations for expenditures for need-based financial aid; amending s. 1009.531, F.S.; revising the renewal period during which a student is eligible to receive a Florida Bright Futures Scholarship award after high school graduation; requiring that the State Board of Education base the eligibility of students to receive a Florida Academic Scholars award or a Florida Medallion Scholars award on specified SAT scores and corresponding 2009 SAT percentile ranks; amending s. 1009.532, F.S.; specifying circumstances under which a Florida Bright Futures Scholarship award may be restored or renewed despite insufficient grades or credit hours; reducing the maximum number of credit hours for which students may receive a scholarship award; amending s. 1009.534, F.S., relating to the Florida Academic Scholars award; conforming provisions to changes made by the act; removing the scheduled expiration of provisions requiring that the amount of the award be specified in the General Appropriations Act; creating s. 1009.5341, F.S.; providing that recipients of a Florida Bright Futures Scholarship award may use the unused portion of their award toward graduate study; providing certain limitations; amending s. 1009.535, F.S.; revising eligibility criteria for receipt of a Florida Medallion Scholars award; conforming provisions to changes made by the act; removing the scheduled expiration of provisions requiring that the amount of the award be specified in the General Appropriations Act; amending s. 1009.536, F.S.; reducing the maximum number of credit hours that students may earn under the Florida Gold Seal Vocational Scholars award; removing the scheduled expiration of provisions requiring that the amount of the award be specified in the General Appropriations Act; repealing s. 1009.537, F.S., relating to transition for eligibility for the Florida Bright Futures Scholarship Program; repealing s. 1009.5385, F.S., relating to criteria for the use of certain scholarship funds by children of deceased or disabled veterans; amending s. 1009.72, F.S.; revising provisions relating to the Jose Marti Scholarship Challenge Grant Program; removing provisions that provide for funds appropriated by the Legislature for the program to be deposited into the State Student Financial Assistance Trust Fund; requiring that funds deposited into such trust fund be invested; authorizing the Legislature to appropriate funds from the General Revenue Fund; amending s. 1009.73, F.S.; revising provisions relating to the Mary McLeod Bethune Scholarship Program; removing provisions that provide for funds appropriated by the Legislature for the program to be deposited into the State Student Financial Assistance Trust Fund; requiring that funds deposited into such trust fund be invested; authorizing the Legislature to appropriate funds from the General Revenue Fund; amending s. 1010.87, F.S., relating to the Workers' Compensation Administration Trust Fund within the Department of Education; providing for the reversion of certain funds; amending s. 1011.32, F.S.; revising the date for transmittal to the Legislature of information relating to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.52, F.S.; revising requirements that entitle the first accredited medical school to an annual appropriation; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; requiring that expenditures for such programs be supported by fees; providing that enrollment in continuing workforce education courses may not be counted for purposes of funding full-time equivalent enrollment; amending s. 1011.83, F.S.; deleting certain provisions relating to funds appropriated for baccalaureate degree programs conducted by community colleges; amending s. 1011.84, F.S.; requiring the Department of Education to estimate certain community college enrollments separately; reducing the number of fiscal years to be covered in each annual estimation; requiring a community college that grants baccalaureate degrees to report certain expenditures separately; creating s. 1012.885, F.S.; providing definitions; providing a limitation on the compensation paid to community college presidents; providing exceptions; amending s. 1013.79, F.S.; revising the date for transmittal to the Legislature of information relating to the University Facility Enhancement Challenge Grant Program; requiring each Florida college and state university to strive to reduce its campuswide energy consumption by 10 percent; providing methods for this reduction; requiring a report to the Governor and Legislature; requiring that the Office of Program Policy Analysis and Government Accountability conduct a review of public school adult workforce education programs and community college and state college workforce education programs; requiring that the Office of Program Policy Analysis and Government Accountability conduct a review of postsecondary educational opportunities for individuals with developmental disabilities; requiring that the results of the reviews be submitted to the Legislature by specified dates; providing an appropriation; providing an effective date.

The Conference Committee Report was read and on motion by Senator Lynn was adopted. **HB 5201** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Altman	Baker
Alexander	Aronberg	Bennett

Bullard	Gardiner	Rich
Constantine	Haridopolos	Ring
Crist	Hill	Siplin
Dean	Jones	Smith
Detert	Joyner	Sobel
Diaz de la Portilla	Lawson	Storms
Dockery	Lynn	Thrasher
Fasano	Negron	Villalobos
Gaetz	Oelrich	Wilson
Garcia	Peaden	Wise

Nays—1

Gelber

PAIR VOTES

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Richter on **HB 5201**. If he were present he would vote "yea" and I would vote "nay."

Senator Charlie Justice, 16th District

The Honorable Jeff Atwater, 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 5603, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5603

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5603, same being:

An act relating to Department of Financial Services.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ J. Alex Villalobos
s/ Stephen R. Wise
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ D. Alan Hays
Chair
Joseph Abruzzo
s/ Ellyn Setnor Bogdanoff
At Large
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
s/ Lake Ray
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large
s/ Ritch Workman
s/ David Rivera
Council Chair
s/ Gary Aubuchon, At Large
Oscar Braynon II
s/ Bill Galvano, At Large
s/ Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Bryan Nelson
s/ Ron Reagan, At Large
Geraldine F. "Geri" Thompson
At Large
Alan B. Williams

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5603, relating to the Department of Financial Services (department), amends statutes related to risk management and workers' compensation to achieve a number of efficiencies and cost savings measures. Specifically, the amendment provides for the following:

- Requires all state agencies and state universities with more than 6,000 employees that are provided insurance coverage from the Division of Risk Management to establish and maintain a return-to-work program for injured state workers. Presently, each of the impacted agencies and state universities has some form of a return-to-work program or are in the process of beginning or implementing such a program. The General Appropriations Act includes $298,478 and three positions to implement the return-to-work program with the goal of reducing workers' compensation program costs.

- Requires the Division of Risk Management to utilize agency loss prevention results in addition to claims history as criteria for calculating state agency risk management premiums.

- Requires the Division of Risk Management to evaluate each agency's risk management programs at least once every five years and to produce reports recommending improvements. In addition, the amendment outlines a process for each agency's response to the division's evaluation and recommendations.

- Requires that unencumbered and undisbursed funds transferred from the Workers' Compensation Administration Trust Fund revert back to the fund each year.

- Revises requirements for determining the amount of reimbursement for repackaged or relabeled prescription medications for workers' compensation claimants regardless of the location or provider.

- Revises the responsibilities of the Division of Consumer Services within the department to reflect organizational changes related to the Office of Insurance Regulation and the Office of Financial Regulation.

Conference Committee Amendment (856731)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (h) of subsection (2) of section 20.121, Florida Statutes, is amended to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions:

(h) The Division of Consumer Services.

1. The Division of Consumer Services shall perform the following functions concerning products or services regulated by the department ~~of~~

~~Financial Services~~ or by ~~either office of~~ the *Office of Insurance Regulation* ~~Financial Services Commission~~:

a. Receive inquiries and complaints from consumers.

b. Prepare and disseminate such information as the department deems appropriate to inform or assist consumers.

c. Provide direct assistance and advocacy for consumers who request such assistance or advocacy.

d. With respect to apparent or potential violations of law or applicable rules by a person or entity licensed by the department or *office* ~~by either office of the commission~~, report ~~such~~ apparent or potential *violations* ~~violation~~ to the *office or the* appropriate division of the department ~~or office of the commission~~, which may take such further action as it deems appropriate.

e. Designate an employee of the division as primary contact for consumers on issues relating to sinkholes.

2. Any person licensed or issued a certificate of authority by the department or by the Office of Insurance Regulation shall respond, in writing, to the Division of Consumer Services within 20 days after receipt of a written request for information from the division concerning a consumer complaint. The response must address the issues and allegations raised in *the* ~~this~~ complaint. The division may~~, in its discretion,~~ impose an administrative penalty for failure to comply with this subparagraph *of* ~~in an amount~~ up to $2,500 per violation upon any entity licensed by the department or the office ~~of Insurance Regulation~~ and $250 for the first violation, $500 for the second violation, and up to $1,000 per violation thereafter upon any individual licensed by the department or the office ~~of Insurance Regulation~~.

3. The department may adopt rules to *administer* ~~implement the provisions of~~ this paragraph.

4. The powers, duties, and responsibilities expressed or granted in this paragraph *do* ~~shall~~ not limit the powers, duties, and responsibilities of the Department of Financial Services, the Financial Services Commission, the Office of Insurance Regulation, or the Office of Financial Regulation set forth elsewhere in the Florida Statutes.

Section 2. Subsection (5) of section 284.01, Florida Statutes, is amended to read:

284.01 State Risk Management Trust Fund; coverages to be provided.—

(5) Premiums charged to agencies for coverage shall be *adopted* ~~promulgated~~ on a retrospective rating arrangement based upon actual losses accruing to the fund *and loss prevention results*, taking into account reasonable expectations, maintenance, and stability of the fund and cost of reinsurance.

Section 3. Section 284.36, Florida Statutes, is amended to read:

284.36 Appropriation deposits; premium payment.—Premiums for coverage by the State Risk Management Trust Fund as calculated on all coverages shall be billed and charged to each state agency according to coverages obtained by the fund for their benefit, and such obligations shall be paid promptly by each agency from its operating budget upon presentation of a bill therefor. After the first year of operation, premiums to be charged to all departments of the state are to be computed on a retrospective rating arrangement based upon actual losses accruing to the fund *and loss prevention results*, taking into account reasonable expectations, the maintenance and stability of the fund, and the cost of insurance.

Section 4. Subsection (1) of section 284.42, Florida Statutes, is amended to read:

284.42 Reports on state insurance program.—

(1)*(a)* The Department of Financial Services, with the Department of Management Services, shall *conduct* ~~make~~ an analysis of the state insurance program *each year and submit the results on or before January 1 in a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives* ~~annually~~, which shall include:

1.~~(a)~~ Complete underwriting information as to the nature of the risks accepted for self-insurance and those risks that are transferred to the insurance market.

2.~~(b)~~ The funds allocated to the Florida Casualty Risk Management Trust Fund and premiums paid for insurance through the market.

3.~~(c)~~ The method of handling legal matters and the cost allocated.

4.~~(d)~~ The method and cost of handling inspection and engineering of risks.

5.~~(e)~~ The cost of risk management service purchased.

6.~~(f)~~ The cost of managing the State Insurance Program by the Department of Financial Services and the Department of Management Services.

(b) Beginning January 1, 2012, the Division of Risk Management shall include in its annual report an analysis of agency return-to-work efforts, including, but not limited to, agency return-to-work program performance metrics and a status report on participating return-to-work programs. The report shall specify benchmarks, including, but not limited to, the average lost-time claims per year, per agency; the total number of lost claims; and specific agency measurable outcomes indicating the change in performance from year to year.

Section 5. Subsections (4) and (5) are added to section 284.50, Florida Statutes, to read:

284.50 Loss prevention program; safety coordinators; Interagency Advisory Council on Loss Prevention; employee recognition program.—

(4) All agencies that are provided workers' compensation insurance coverage by the State Risk Management Trust Fund that employ more than 6,000 full-time employees shall establish and maintain return-to-work programs for employees who are receiving workers' compensation benefits. Such programs shall have the primary goal of enabling injured workers to remain at work or return to work to perform job duties within the physical or mental functional limitations and restrictions established by the workers' treating physicians. If no such limitations or restrictions are established in writing by a worker's treating physician, the worker shall be deemed to be able to fully perform the same work duties he or she performed prior to the injury.

(5) The Division of Risk Management shall evaluate each agency's risk management programs, including, but not limited to, return-to-work, safety, and loss prevention programs, at least once every 5 years. Reports, including, but not limited to, any recommended corrective action, resulting from such evaluations shall be provided to the head of the agency being evaluated, the Chief Financial Officer, and the Director of the Division of Risk Management. The agency head must provide to the Division of Risk Management a response to all report recommendations within 45 days and a plan to implement any corrective action to be taken as part of the response. If the agency disagrees with any final report recommendations, including, but not limited to, any recommended corrective action, or if the agency fails to implement any recommended corrective action within a reasonable time, the division shall submit the evaluation report to the legislative appropriations committees.

Section 6. Paragraph (c) of subsection (12) of section 440.13, Florida Statutes, is amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

(12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM REIMBURSEMENT ALLOWANCES.—

(c) As to reimbursement for a prescription medication, *regardless of the location or provider from which the claimant receives the prescription medication,* the reimbursement amount for a prescription shall be the average wholesale price plus $4.18 for the dispensing fee, except *when* ~~where~~ the carrier has contracted for a lower amount. *The reimbursement amount for a drug that has been repackaged or relabeled shall be calculated by multiplying the number of units dispensed times the per-unit average wholesale price set by the original manufacturer of the underlying drug, which shall not be the manufacturer of the repackaged or relabeled drug, plus a $4.18 dispensing fee, except when the carrier has*

contracted for a lower amount. In no case shall the repackaged or relabeled drug price exceed the amount otherwise payable had the drug not been repackaged or relabeled. Fees for pharmaceuticals and pharmaceutical services shall be reimbursable at the applicable fee schedule amount. Where the employer or carrier has contracted for such services and the employee elects to obtain them through a provider not a party to the contract, the carrier shall reimburse at the schedule, negotiated, or contract price, whichever is lower. No such contract shall rely on a provider that is not reasonably accessible to the employee.

Section 7. Subsection (5) is added to section 440.50, Florida Statutes, to read:

440.50 Workers' Compensation Administration Trust Fund.—

(5) Funds appropriated by operating appropriation or nonoperating transfer from the Workers' Compensation Administration Trust Fund to the Department of Education, the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Management Services, the First District Court of Appeal, and the Justice Administrative Commission remaining unencumbered as of June 30 or undisbursed as of September 30 each year shall revert to the Workers' Compensation Administration Trust Fund.

Section 8. This act shall take effect July 1, 2010.

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 Financial Services; amending s. 20.121, F.S.; revising duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising reporting requirements on the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations; requiring the division to submit the evaluation report to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Baker was adopted. **HB 5603** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, 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 5607, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5607

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5607, same being:

An act relating to retirement.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ David Rivera
Chair
s/ Gary Aubuchon, At Large
Mack Bernard
Debbie Boyd
Mary Brandenburg
Ronald A. Brisé
s/ Rachel V. Burgin
Charles S. "Chuck" Chestnut IV
s/ Marti Coley
s/ Chris Dorworth
Keith Fitzgerald
s/ Clay Ford
s/ James C. "Jim" Frishe
Joseph A. "Joe" Gibbons
At Large
s/ Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Matt Hudson
Evan Jenne
Martin David "Marty" Kiar
s/ John Legg
s/ Charles McBurney

Joseph Abruzzo
s/ Sandra "Sandy" Adams
Leonard L. Bembry
s/ Ellyn Setnor Bogdanoff
At Large
Oscar Braynon II
Dwight M. Bullard
s/ Jennifer Carroll
Gwyndolen "Gwyn" Clarke-Reed
s/ Steve Crisafulli
s/ Eric Eisnaugle
s/ Anitere Flores
s/ Erik Fresen
s/ Bill Galvano, At Large
Audrey Gibson
s/ Richard "Rich" Glorioso
s/ Denise Grimsley
s/ D. Alan Hays
Mike Horner
s/ Dorothy L. Hukill
Mia L. Jones
Paige Kreegel
s/ Carlos Lopez-Cantera, At Large
s/ Seth McKeel

s/ Dave Murzin
s/ H. Marlene O'Toole
s/ Scott Plakon
Ari Abraham Porth
s/ William L. "Bill" Proctor
s/ Ron Reagan, At Large
Yolly Roberson
Darryl Ervin Rouson
s/ Robert C. "Rob" Schenck
Darren Soto
Geraldine F. "Geri" Thompson At Large
s/ Will W. Weatherford, At Large
s/ Trudi K. Williams
s/ Bryan Nelson
s/ Jimmy Patronis
s/ Ralph Poppell
s/ Stephen L. Precourt
s/ Lake Ray
Betty Reed
Hazelle P. "Hazel" Rogers
Franklin Sands, At Large
Kelly Skidmore
s/ Kelli Stargel
s/ Nicholas R. "Nick" Thompson
Perry E. Thurston, Jr., At Large
Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5607, relating to retirement:

- Establishes the employer-paid contribution rates for the Florida Retirement System.

- Reduces the fee charged to employers participating in the Florida Retirement System for the administrative and educational costs associated with the defined contribution program.

- Sets the interest rate on Deferred Retirement Option Program (DROP) account accumulations at 3% per year (rather than 6.5% per year) for members entering the DROP.

- Requires the state actuary to conduct a special study on the funding of the DROP.

The amendment provides an effective date of July 1, 2010.

Conference Committee Amendment (231604)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (13) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and subject to this section, the Deferred Retirement Option Program, hereinafter referred to as DROP, is a program under which an eligible member of the Florida Retirement System may elect to participate, deferring receipt of retirement benefits while continuing employment with his or her Florida Retirement System employer. The deferred monthly benefits shall accrue in the Florida Retirement System on behalf of the participant, plus interest compounded monthly, for the specified period of the DROP participation, as provided in paragraph (c). Upon termination of employment, the participant shall receive the total DROP benefits and begin to receive the previously determined normal retirement benefits. Participation in the DROP does not guarantee employment for the specified period of DROP. Participation in DROP by an eligible member beyond the initial 60-month period as authorized in this subsection shall be on an annual contractual basis for all participants.

(c) *Benefits payable under DROP.—*

1. Effective on the date of DROP participation, the member's initial normal monthly benefit, including creditable service, optional form of payment, and average final compensation, and the effective date of retirement are fixed. The beneficiary established under the Florida Retirement System is the beneficiary eligible to receive any DROP benefits payable if the DROP participant dies before completing the period of DROP participation. If a joint annuitant predeceases the member, the member may name a beneficiary to receive accumulated DROP benefits payable. The retirement benefit, the annual cost of living adjustments provided in s. 121.101, and interest accrue monthly in the Florida Retirement System Trust Fund. The interest accrues at an effective annual rate of 6.5 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7). *For those members entering DROP on or after July 1, 2010, the interest accrues at an effective annual rate of 3.0 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

2. Each employee who elects to participate in DROP may elect to receive a lump-sum payment for accrued annual leave earned in accordance with agency policy upon beginning participation in DROP. The accumulated leave payment certified to the division upon commencement of DROP shall be included in the calculation of the member's average final compensation. The employee electing the lump-sum payment is not eligible to receive a second lump-sum payment upon termination, except to the extent the employee has earned additional annual leave which, combined with the original payment, does not exceed the maximum lump-sum payment allowed by the employing agency's policy or rules. An early lump-sum payment shall be based on the hourly wage of the employee at the time he or she begins participation in DROP. If the member elects to wait and receive a lump-sum payment upon termination of DROP and termination of employment with the employer, any accumulated leave payment made at that time may not be included in the member's retirement benefit, which was determined and fixed by law when the employee elected to participate in DROP.

3. The effective date of DROP participation and the effective date of retirement of a DROP participant shall be the first day of the month selected by the member to begin participation in DROP, provided such date is properly established, with the written confirmation of the employer, and the approval of the division, on forms required by the division.

4. Normal retirement benefits and any interest shall continue to accrue in DROP until the established termination date of DROP or until the participant terminates employment or dies prior to such date, except as provided in s. 121.053(7). Although individual DROP accounts shall not be established, a separate accounting of each participant's accrued benefits under DROP shall be calculated and provided to participants.

5. At the conclusion of the participant's DROP, the division shall distribute the participant's total accumulated DROP benefits, subject to the following:

a. The division shall receive verification by the participant's employer or employers that the participant has terminated all employment relationships as provided in s. 121.021(39).

b. The terminated DROP participant or, if deceased, the participant's named beneficiary, shall elect on forms provided by the division to receive payment of the DROP benefits in accordance with one of the options listed below. If a participant or beneficiary fails to elect a method of payment within 60 days after termination of DROP, the division shall pay a lump sum as provided in sub-sub-subparagraph (I).

(I) Lump sum.—All accrued DROP benefits, plus interest, less withholding taxes remitted to the Internal Revenue Service, shall be paid to the DROP participant or surviving beneficiary.

(II) Direct rollover.—All accrued DROP benefits, plus interest, shall be paid from DROP directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code.

(III) Partial lump sum.—A portion of the accrued DROP benefits shall be paid to DROP participant or surviving spouse, less withholding taxes remitted to the Internal Revenue Service, and the remaining DROP benefits must be transferred directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Rev-

enue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code. The proportions must be specified by the DROP participant or surviving beneficiary.

c. The form of payment selected by the DROP participant or surviving beneficiary must comply with the minimum distribution requirements of the Internal Revenue Code.

d. A DROP participant who fails to terminate all employment relationships as provided in s. 121.021(39) shall be deemed as not retired, and the DROP election is null and void. Florida Retirement System membership shall be reestablished retroactively to the date of the commencement of DROP, and each employer with whom the participant continues employment must pay to the Florida Retirement System Trust Fund the difference between the DROP contributions paid in paragraph (i) and the contributions required for the applicable Florida Retirement System class of membership during the period the member participated in DROP, plus 6.5 percent interest compounded annually.

6. The retirement benefits of any DROP participant who terminates all employment relationships as provided in s. 121.021(39) but is reemployed in violation of the reemployment provisions of subsection (9) shall be suspended during those months in which the retiree is in violation. Any retiree in violation of this subparagraph and any employer that employs or appoints such person without notifying the Division of Retirement to suspend retirement benefits are jointly and severally liable for any benefits paid during the reemployment limitation period. The employer must have a written statement from the retiree that he or she is not retired from a state-administered retirement system. Any retirement benefits received by a retiree while employed in violation of the reemployment limitations must be repaid to the Florida Retirement System Trust Fund, and his or her retirement benefits shall remain suspended until payment is made. Benefits suspended beyond the end of the reemployment limitation period apply toward repayment of benefits received in violation of the reemployment limitation.

7. The accrued benefits of any DROP participant, and any contributions accumulated under the program, are not subject to assignment, execution, attachment, or any legal process whatsoever, except for qualified domestic relations orders by a court of competent jurisdiction, income deduction orders as provided in s. 61.1301, and federal income tax levies.

8. DROP participants are not eligible for disability retirement benefits as provided in subsection (4).

Section 2. Subsection (3) of section 121.71, Florida Statutes, is amended, present subsection (4) of that section is renumbered as subsection (5), and a new subsection (4) is added to that section, to read

121.71 Uniform rates; process; calculations; levy.—

(3) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, *2010* ~~2009~~	Percentage of Gross Compensation, Effective July 1, *2011* ~~2010~~
Regular Class	*9.76%* ~~8.69%~~	*9.76%* ~~9.63%~~
Special Risk Class	*22.15%* ~~19.76%~~	*22.15%* ~~22.11%~~
Special Risk Administrative Support Class	*11.24%* ~~11.39%~~	*11.24%* ~~12.10%~~
Elected Officers' Class - Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	*14.38%* ~~13.32%~~	*14.38%* ~~15.20%~~
Elected Officers' Class - Justices, Judges	*19.39%* ~~18.40%~~	*19.39%* ~~20.65%~~
Elected Officers' Class - County Elected Officers	*16.62%* ~~15.37%~~	*16.62%* ~~17.50%~~
Senior Management Class	*11.70%* ~~11.96%~~	*11.70%* ~~13.43%~~
DROP	*10.07%* ~~9.80%~~	*10.07%* ~~11.14%~~

(4) In order to address unfunded actuarial liabilities of the system, the additional required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	*Percentage of Gross Compensation, Effective July 1, 2010*	*Percentage of Gross Compensation, Effective July 1, 2011*
Regular Class	*0.00%*	*1.74%*
Special Risk Class	*0.00%*	*6.57%*
Special Risk Administrative Support Class	*0.00%*	*17.57%*
Elected Officers' Class - Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	*0.00%*	*18.76%*
Elected Officers' Class - Justices, Judges	*0.00%*	*12.10%*
Elected Officers' Class - County Elected Officers	*0.00%*	*21.73%*
Senior Management Class	*0.00%*	*10.19%*
DROP	*0.00%*	*5.47%*

Section 3. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required under *ss.* ~~s.~~ 121.71 *and 121.73, effective July 1, 2010, through June 30, 2014*, employers participating in the Florida Retirement System shall contribute an amount equal to *0.03* ~~0.05~~ percent of the payroll reported for each class or subclass of Florida Retirement System membership. *Effective July 1, 2014, the contribution rate shall be 0.04 percent of the payroll reported for each class or subclass of membership. The*~~, which~~ amount *contributed* shall be transferred by the Division of Retirement from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the optional retirement program and the costs of providing educational services to participants in the defined benefit program and the optional retirement program. Approval of the trustees ~~of the State Board of Administration~~

is required *before* ~~prior to~~ the expenditure of these funds. Payments for third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 4. *As part of the actuarial study required by s. 121.031(3), Florida Statutes, based on the results of June 30, 2010, the administrator of the Florida Retirement System shall contract with the state actuary to conduct an actuarial study of the Florida Retirement System which considers the following methods of funding the Deferred Retirement Option Program:*

(1) Through a separate contribution rate regardless of the participant's membership class, which had been the principle method through the 2009 valuation;

(2) Treat participants as retirees such that the payroll associated with the participants is not used to develop the contribution rates for the respective membership class, and the employer is not required to make contributions on such payroll except for unfunded actuarial liability contributions; and

(3) Treat participants as active members such that the payroll associated with the participants is used to develop the contribution rates for the respective membership class, and the employer is required to make contributions on the payroll at the same contribution rate as the employer pays for an active member of the applicable class.

Section 5. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 6. This act shall take effect July 1, 2010.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; reducing the interest rate paid on deferred retirement benefits for members entering DROP on or after a specified date; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2010, and July 1, 2011; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; amending s. 121.74, F.S.; revising the amount that employers are required to contribute for administrative and educational expenses; requiring the state actuary to consider additional factors when conducting the annual actuarial study of the Florida Retirement System; specifying the factors to be considered; providing a declaration of important state interest; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5607** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fasano	Rich
Alexander	Gaetz	Ring
Altman	Garcia	Siplin
Baker	Gardiner	Smith
Bennett	Haridopolos	Sobel
Bullard	Jones	Storms
Constantine	Lawson	Thrasher
Crist	Lynn	Villalobos
Dean	Negron	Wilson
Detert	Oelrich	Wise
Diaz de la Portilla	Peaden	

Nays—6

Aronberg	Gelber	Joyner
Dockery	Hill	Justice

Vote after roll call:

Yea to Nay—Rich

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5611, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5611

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5611, same being:

An act relating to Department of Management Services.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ D. Alan Hays
Chair
Joseph Abruzzo
s/ Ellyn Setnor Bogdanoff
At Large
Joseph A. "Joe" Gibbons
At Large
s/ Carlos Lopez-Cantera, At Large
s/ Lake Ray
Franklin Sands, At Large
Perry E. Thurston, Jr., At Large

s/ David Rivera
Council Chair
s/ Gary Aubuchon, At Large
Oscar Braynon II
s/ Bill Galvano, At Large
s/ Eduardo "Eddy" Gonzalez
s/ Adam Hasner, At Large
s/ Bryan Nelson
s/ Ron Reagan, At Large
Geraldine F. "Geri" Thompson
At Large

s/ Will W. Weatherford, At Large Alan B. Williams
s/ Ritch Workman

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for HB 5611, relating to the Department of Management Services (DMS), provides for the following:

- Reorganizes the governance structure of the DMS under the Governor and the Cabinet and authorizes the appointment of an executive director, subject to confirmation by the Senate.

- Provides a lump sum appropriation of positions and budget for distribution, pursuant to the provisions of chapter 216, by no later than July 15, 2010, and initially requires senate confirmation of all positions by March 1, 2010.

- Repeals the Florida State Employee Wellness Council which is obsolete. The council was originally created to advise the DMS on health care education for employees.

- Eliminates the Council on Efficient Government. Agency outsourcing proposals will continue to be submitted to the Governor and Legislature for review and approval.

- Requires electronic filing of information by parties represented by attorneys in hearings held under the Division of Administrative Hearings (DOAH) Adjudication of Disputes Program and in the Worker's Compensation Appeals Program and encourages parties not represented by attorneys to file documents electronically when possible.

- Establishes statewide policy for agencies to use in determining the assignment of employee wireless communication devices and requires agencies to utilize the SUNCOM Network Service Program in order to reduce costs. The amendment requires state agencies to submit, as part of their legislative budget request, an inventory of all wireless devices and expenditures.

- Directs the DMS to prepare a plan by November 1, 2010, to create, administer, and maintain a centralized fleet of all state-owned motor vehicles. In preparing the plan, the DMS is directed to evaluate the costs and benefits of operating a centralized and outsourced motor vehicle fleet program.

- Requires the DMS to coordinate with all state agencies, prior to submitting a plan to the Governor and Legislature by September 1, 2010, to centralize all real estate leasing and facilties operations and maintenance. The amendment requires agencies to include, in their legislative budget request for the 2011-2012 fiscal year, a transfer of all real estate resources to the DMS.

- Provides for the transfer of funds from the DMS to the Department of Financial Services to support statewide purchasing operations.

- Authorizes the DMS to transfer $320,000 from the Supervision Trust Fund to the Department of Environmental Protection for the creation of a comprehensive database of state-owned real property.

- Extends the collection of a $3 traffic and criminal traffic violation fee from July 1, 2012, to July 1, 2017, to continue funding for the Statewide Law Enforcement Radio System.

Conference Committee Amendment (514489)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 20.22, Florida Statutes, is amended to read:

20.22 Department of Management Services.—There is created a Department of Management Services.

(1) The head of the Department of Management Services is the *Governor and Cabinet, who shall appoint an executive director* ~~Secretary of Management Services, who shall be appointed by the Governor~~, subject to confirmation by the Senate, and *who* shall serve at the pleasure of the Governor *and Cabinet*.

Section 2. Paragraph (b) of subsection (4) of section 57.111, Florida Statutes, is amended to read:

57.111 Civil actions and administrative proceedings initiated by state agencies; attorneys' fees and costs.—

(4)

(b)1. To apply for an award under this section, the attorney for the prevailing small business party must submit an itemized affidavit to the court which first conducted the adversarial proceeding in the underlying action, or *by electronic means through the division's website* to the Division of Administrative Hearings*,* which shall assign an administrative law judge~~,~~ in the case of a proceeding pursuant to chapter 120, which affidavit shall reveal the nature and extent of the services rendered by the attorney as well as the costs incurred in preparations, motions, hearings, and appeals in the proceeding.

2. The application for an award of attorney's fees must be made within 60 days after the date that the small business party becomes a prevailing small business party.

Section 3. Paragraphs (c) and (d) of subsection (1) of section 120.56, Florida Statutes, are amended to read:

120.56 Challenges to rules.—

(1) GENERAL PROCEDURES FOR CHALLENGING THE VALIDITY OF A RULE OR A PROPOSED RULE.—

(c) The petition shall be filed *by electronic means* with the division*,* which shall, immediately upon filing, forward *by electronic means* copies to the agency whose rule is challenged, the Department of State, and the committee. Within 10 days after receiving the petition, the division director shall, if the petition complies with the requirements of paragraph (b), assign an administrative law judge who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties or for good cause shown. Evidence of good cause includes, but is not limited to, written notice of an agency's decision to modify or withdraw the proposed rule or a written notice from the chair of the committee stating that the committee will consider an objection to the rule at its next scheduled meeting. The failure of an agency to follow the applicable rulemaking procedures or requirements set forth in this chapter shall be presumed to be material; however, the agency may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

(d) Within 30 days after the hearing, the administrative law judge shall render a decision and state the reasons therefor in writing. The division shall forthwith transmit *by electronic means* copies of the administrative law judge's decision to the agency, the Department of State, and the committee.

Section 4. Paragraph (a) of subsection (2) of section 120.569, Florida Statutes, is amended to read:

120.569 Decisions which affect substantial interests.—

(2)(a) Except for any proceeding conducted as prescribed in s. 120.56, a petition or request for a hearing under this section shall be filed with the agency. If the agency requests an administrative law judge from the division, it shall so notify the division *by electronic means through the division's website* within 15 days after receipt of the petition or request. A request for a hearing shall be granted or denied within 15 days after receipt. On the request of any agency, the division shall assign an administrative law judge with due regard to the expertise required for the particular matter. The referring agency shall take no further action with respect to a proceeding under s. 120.57(1), except as a party litigant, as long as the division has jurisdiction over the proceeding under s. 120.57(1). Any party may request the disqualification of the administrative law judge by filing an affidavit with the division prior to the taking of evidence at a hearing, stating the grounds with particularity.

Section 5. Paragraph (d) of subsection (3) of section 120.57, Florida Statutes, is amended to read:

120.57 Additional procedures for particular cases.—

(3) ADDITIONAL PROCEDURES APPLICABLE TO PROTESTS TO CONTRACT SOLICITATION OR AWARD.—Agencies subject to this chapter shall use the uniform rules of procedure, which provide procedures for the resolution of protests arising from the contract solicitation or award process. Such rules shall at least provide that:

(d)1. The agency shall provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of a formal written protest.

2. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to subsection (2) and applicable agency rules before a person whose qualifications have been prescribed by rules of the agency.

3. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the agency shall refer the protest to the division *by electronic means through the division's website* for proceedings under subsection (1).

Section 6. Subsection (1) of section 552.40, Florida Statutes, is amended to read:

552.40 Administrative remedy for alleged damage due to the use of explosives in connection with construction materials mining activities.—

(1) A person may initiate an administrative proceeding to recover damages resulting from the use of explosives in connection with construction materials mining activities by filing a petition with the Division of Administrative Hearings *by electronic means through the division's website* on a form provided by it and accompanied by a filing fee of $100 within 180 days after the occurrence of the alleged damage. If the petitioner submits an affidavit stating that the petitioner's annual income is less than 150 percent of the applicable federal poverty guideline published in the Federal Register by the United States Department of Health and Human Services, the $100 filing fee must be waived.

Section 7. Paragraph (b) of subsection (4) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.—

(4)

(b) Local governments may, subject to the limitations of this section, adopt amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of such government and which provide for more stringent requirements than those specified in the Florida Building Code, not more than once every 6 months. A local government may adopt technical amendments that address local needs if:

1. The local governing body determines, following a public hearing which has been advertised in a newspaper of general circulation at least 10 days before the hearing, that there is a need to strengthen the requirements of the Florida Building Code. The determination must be based upon a review of local conditions by the local governing body, which review demonstrates by evidence or data that the geographical jurisdiction governed by the local governing body exhibits a local need to strengthen the Florida Building Code beyond the needs or regional variation addressed by the Florida Building Code, that the local need is addressed by the proposed local amendment, and that the amendment is no more stringent than necessary to address the local need.

2. Such additional requirements are not discriminatory against materials, products, or construction techniques of demonstrated capabilities.

3. Such additional requirements may not introduce a new subject not addressed in the Florida Building Code.

4. The enforcing agency shall make readily available, in a usable format, all amendments adopted pursuant to this section.

5. Any amendment to the Florida Building Code shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.

6. Any amendment to the Florida Building Code adopted by a local government pursuant to this paragraph shall be effective only until the adoption by the commission of the new edition of the Florida Building Code every third year. At such time, the commission shall review such amendment for consistency with the criteria in paragraph (8)(a) and adopt such amendment as part of the Florida Building Code or rescind the amendment. The commission shall immediately notify the respective local government of the rescission of any amendment. After receiving such notice, the respective local government may readopt the rescinded amendment pursuant to the provisions of this paragraph.

7. Each county and municipality desiring to make local technical amendments to the Florida Building Code shall by interlocal agreement establish a countywide compliance review board to review any amendment to the Florida Building Code, adopted by a local government within the county pursuant to this paragraph, that is challenged by any substantially affected party for purposes of determining the amendment's compliance with this paragraph. If challenged, the local technical amendments shall not become effective until time for filing an appeal pursuant to subparagraph 8. has expired or, if there is an appeal, until the commission issues its final order determining the adopted amendment is in compliance with this subsection.

8. If the compliance review board determines such amendment is not in compliance with this paragraph, the compliance review board shall notify such local government of the noncompliance and that the amendment is invalid and unenforceable until the local government corrects the amendment to bring it into compliance. The local government may appeal the decision of the compliance review board to the commission. If the compliance review board determines such amendment to be in compliance with this paragraph, any substantially affected party may appeal such determination to the commission. Any such appeal shall be filed with the commission within 14 days of the board's written determination. The commission shall promptly refer the appeal to the Division of Administrative Hearings *by electronic means through the division's website* for the assignment of an administrative law judge. The administrative law judge shall conduct the required hearing within 30 days, and shall enter a recommended order within 30 days of the conclusion of such hearing. The commission shall enter a final order within 30 days thereafter. The provisions of chapter 120 and the uniform rules of procedure shall apply to such proceedings. The local government adopting the amendment that is subject to challenge has the burden of proving that the amendment complies with this paragraph in proceedings before the compliance review board and the commission, as applicable. Actions of the commission are subject to judicial review pursuant to s. 120.68. The compliance review board shall determine whether its decisions apply to a respective local jurisdiction or apply countywide.

9. An amendment adopted under this paragraph shall include a fiscal impact statement which documents the costs and benefits of the proposed amendment. Criteria for the fiscal impact statement shall include the impact to local government relative to enforcement, the impact to property and building owners, as well as to industry, relative to the cost of compliance. The fiscal impact statement may not be used as a basis for challenging the amendment for compliance.

10. In addition to subparagraphs 7. and 9., the commission may review any amendments adopted pursuant to this subsection and make nonbinding recommendations related to compliance of such amendments with this subsection.

Section 8. Paragraph (b) of subsection (4) of section 961.03, Florida Statutes, is amended to read:

961.03 Determination of status as a wrongfully incarcerated person; determination of eligibility for compensation.—

(4)

(b) If the prosecuting authority responds as set forth in paragraph (2)(b), and the court determines that the petitioner is eligible under the provisions of s. 961.04, but the prosecuting authority contests the nature, significance or effect of the evidence of actual innocence, or the facts related to the petitioner's alleged wrongful incarceration, the court shall set forth its findings and transfer the petition *by electronic means through the division's website* to the division for findings of fact and a recommended determination of whether the petitioner has established that he or she is a wrongfully incarcerated person who is eligible for compensation under this act.

Section 9. *Subsection (13) of section 110.123, Florida Statutes, is repealed.*

Section 10. Paragraph (b) of subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

(5) UNIFORM RULES.—

(b) The uniform rules of procedure adopted by the commission pursuant to this subsection shall include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency that provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. Nothing in this paragraph shall be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The Administration Commission may prescribe the form and substantive provisions of a required bond.

4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules shall require the petition to include:

a. The identification of the petitioner*, including the petitioner's e-mail address, if any, for the transmittal of subsequent documents by electronic means*.

b. A statement of when and how the petitioner received notice of the agency's action or proposed action.

c. An explanation of how the petitioner's substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules shall require a request to include:

a. The name, address, *e-mail address,* and telephone number of the party making the request and the name, address, *e-mail address,* and telephone number of the party's counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent's use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Weekly under s. 120.565, including any applicable time limit for the filing of petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency's organization and general course of its operations. The rules shall require that the statement concerning the agency's organization and operations be published on the agency's website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 11. Section 120.585, Florida Statutes, is created to read:

120.585 Electronic filing.—Any document filed with the division by a party represented by an attorney must be filed by electronic means through the division's website. Any document filed with the division by a party who is not represented by an attorney shall, whenever possible, be filed by electronic means through the division's website.

Section 12. Subsections (6) through (9) of section 216.023, Florida Statutes, are renumbered as subsections (7) through (10), respectively, and a new subsection (6) is added to that section to read:

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

(6) As part of the legislative budget request, the head of each agency shall include an annual inventory of all wireless devices and expenditures, including the number of wireless devices by type, expenditures by type of device, total expenditures, a list of job classifications assigned a wireless device, and the steps taken to promote productivity and contain costs.

Section 13. Section 282.712, Florida Statutes, is created to read:

282.712 Statewide wireless communication utilization.—

(1) It is the intent of the Legislature that the expenditure of public funds on wireless communication devices shall be used to increase efficiency, accessibility, and productivity.

(2) In furtherance of the goal of increasing efficiency, accessibility, and productivity, agencies shall only assign cellular telephones, personal digital assistants, and other wireless communication devices to those employees who, as part of their official assigned duties, routinely must:

(a) Be immediately available to citizens, supervisors, or subordinates;

(b) Be available to respond to emergency situations;

(c) Be available to receive calls outside of regular working hours;

(d) Have access to the technology in order to productively perform job duties in the field; or

(e) Have limited or no access to a telephone, or have no ability to use a cellular phone, if needed.

(3) Agencies shall utilize wireless communication devices and services using SUNCOM Network Services unless otherwise approved by the department. Agencies shall obtain an exemption from the use of SUNCOM Network Services prior to seeking approval to use a state term contract, an alternate source contract, or other procurement method. In seeking approval for an exemption, agencies shall provide a comparison of costs and benefits and the reasons for deviating from SUNCOM Network Services. The department shall approve such requests only upon a finding that an exemption from the use of SUNCOM Network Services has been obtained pursuant to s. 282.703(3) and upon a finding that the cost-benefit analysis or agency justification supports the use of another procurement method.

(4) Agencies shall review wireless communication device expenditures to confirm that costs are associated with business purposes. Any costs associated with personal use of a wireless communication device by an employee shall be reimbursed to the agency by that employee.

Section 14. Section 287.05721, Florida Statutes, is amended to read:

287.05721 Definitions.—As used in ss. 287.0571-287.0574, the term:

~~(1) "Council" means the Council on Efficient Government.~~

~~(2)~~ "outsource" means the process of contracting with a vendor to provide a service as defined in s. 216.011(1)(f), in whole or in part, or an activity as defined in s. 216.011(1)(rr), while a state agency retains the responsibility and accountability for the service or activity and there is a transfer of management responsibility for the delivery of resources and the performance of those resources.

Section 15. *Section 287.0573, Florida Statutes, is repealed.*

Section 16. Subsections (1) through (4) of section 287.0574, Florida Statutes, are amended to read:

287.0574 Business cases to outsource; review and analysis; requirements.—

(1) A business case to outsource having a projected cost exceeding $10 million in any fiscal year shall require:

(a) An initial business case analysis conducted by the state agency and submitted to ~~the council,~~ the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 60 days before a solicitation is issued. ~~The council shall evaluate the business case analysis and submit an advisory report to the state agency, the Governor, the President of the Senate, and the Speaker of the House of Representatives when the advisory report is completed, but at least 30 days before the agency issues the solicitation.~~

(b) A final business case analysis conducted by the state agency and submitted after the conclusion of any negotiations, at least 30 days before execution of a contract, to ~~the council,~~ the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) A proposal to outsource having a projected cost that ranges from $1 million to $10 million in any fiscal year shall require:

(a) An initial business case analysis conducted by the state agency and submission of the business case, at least 30 days before issuing a solicitation, to ~~the council,~~ the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(b) A final business case analysis conducted by the state agency and submitted after the conclusion of any negotiations, at least 30 days before execution of a contract, to ~~the council,~~ the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(3) A business case to outsource having a projected cost that is less than $1 million in any fiscal year shall require a final business case analysis conducted by the state agency after the conclusion of any negotiations ~~and provided at least 30 days before execution of a contract to the council. The council shall provide such business cases in its annual report to the Legislature~~.

(4) For any proposed outsourcing, the state agency shall develop a business case that justifies the proposal to outsource. In order to reduce any administrative burden, the ~~council may allow a~~ state agency *shall* ~~to~~ submit the business case in the form *and manner* required by the budget instructions issued pursuant to s. 216.023*(1), (2), and* (4)(a)7., augmented with additional information if necessary, to ensure that the requirements of this section are met. The business case is not subject to challenge or protest pursuant to chapter 120. The business case must include, but need not be limited to:

(a) A detailed description of the service or activity for which the outsourcing is proposed.

(b) A description and analysis of the state agency's current performance, based on existing performance metrics if the state agency is currently performing the service or activity.

(c) The goals desired to be achieved through the proposed outsourcing and the rationale for such goals.

(d) A citation to the existing or proposed legal authority for outsourcing the service or activity.

(e) A description of available options for achieving the goals. If state employees are currently performing the service or activity, at least one option involving maintaining state provision of the service or activity shall be included.

(f) An analysis of the advantages and disadvantages of each option, including, at a minimum, potential performance improvements and risks.

(g) A description of the current market for the contractual services that are under consideration for outsourcing.

(h) A cost-benefit analysis documenting the direct and indirect specific baseline costs, savings, and qualitative and quantitative benefits involved in or resulting from the implementation of the recommended option or options. Such analysis must specify the schedule that, at a minimum, must be adhered to in order to achieve the estimated savings. All elements of cost must be clearly identified in the cost-benefit analysis, described in the business case, and supported by applicable records and reports. The state agency head shall attest that, based on the data and information underlying the business case, to the best of his or her knowledge, all projected costs, savings, and benefits are valid and achievable. As used in this section, the term "cost" means the reasonable, relevant, and verifiable cost, which may include, but is not limited to, elements such as personnel, materials and supplies, services, equipment, capital depreciation, rent, maintenance and repairs, utilities, insurance, personnel travel, overhead, and interim and final payments. The appropriate elements shall depend on the nature of the specific initiative. As used in this section, the term "savings" means the difference between the direct and indirect actual annual baseline costs compared to the projected annual cost for the contracted functions or responsibilities in any succeeding state fiscal year during the term of the contract.

(i) A description of differences among current state agency policies and processes and, as appropriate, a discussion of options for or a plan to standardize, consolidate, or revise current policies and processes, if any, to reduce the customization of any proposed solution that would otherwise be required.

(j) A description of the specific performance standards that must, at a minimum, be met to ensure adequate performance.

(k) The projected timeframe for key events from the beginning of the procurement process through the expiration of a contract.

(l) A plan to ensure compliance with the public records law.

(m) A specific and feasible contingency plan addressing contractor nonperformance and a description of the tasks involved in and costs required for its implementation.

(n) A state agency's transition plan for addressing changes in the number of agency personnel, affected business processes, employee transition issues, and communication with affected stakeholders, such as agency clients and the public. The transition plan must contain a reemployment and retraining assistance plan for employees who are not retained by the state agency or employed by the contractor.

(o) A plan for ensuring access by persons with disabilities in compliance with applicable state and federal law.

(p) A description of legislative and budgetary actions necessary to accomplish the proposed outsourcing.

Section 17. *Centralized fleet management.—*

(1) The Department of Management Services shall prepare a plan to create, administer, and maintain a centralized fleet of state-owned motor vehicles. By November 1, 2010, the department shall submit the plan for centralizing all state-owned vehicles to the President of the Senate, the Speaker of the House of Representatives, and the Governor and Cabinet.

(2) The plan for centralizing all state-owned motor vehicles shall provide a method for:

(a) Assigning and administering motor vehicles to state agencies and employees.

(b) Managing a fleet of motor vehicles for short-term use.

(c) Charging state agencies for the use of motor vehicles, including costs associated with vehicle replacement and operating costs.

(d) Purchasing motor vehicles necessary for the operation of the centralized fleet.

(e) Repairing and maintaining motor vehicles.

(f) Monitoring the use of motor vehicles and enforcing regulations regarding proper use.

(g) Maintaining records related to the operation and maintenance of motor vehicles and the administration of the fleet.

(h) Disposing of motor vehicles that are no longer necessary to maintain the fleet or for motor vehicles that are not used effectively enough to establish motor vehicle cost savings.

(i) Determining when it would be cost-efficient to lease a motor vehicle from a third-party vendor instead of using a state-owned vehicle.

(3) In developing the plan, the department shall evaluate the costs and benefits of operating a centralized motor vehicle fleet compared to the costs and benefits of contracting with a third-party vendor for the operation of a centralized motor vehicle fleet.

Section 18. Subsection (17) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(17) In addition to any penalties imposed, a surcharge of $3 must be paid for all criminal offenses listed in s. 318.17 and for all noncriminal moving traffic violations under chapter 316. Revenue from the surcharge shall be remitted to the Department of Revenue and deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services for the state agency law enforcement radio system, as described in s. 282.709, and to provide technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications, as described in s. 282.710. This subsection expires July 1, *2017* ~~2012~~. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for managing, administering, and overseeing the Statewide Law Enforcement Radio System, and providing technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications. The Department of Management Services working in conjunction with the Joint Task Force on State Agency Law Enforcement Communications shall determine and direct the purposes for which these funds are used to enhance and improve the radio system.

Section 19. Subsection (17) of section 318.21, Florida Statutes, is amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(17) Notwithstanding subsections (1) and (2), the proceeds from the surcharge imposed under s. 318.18(17) shall be distributed as provided in that subsection. This subsection expires July 1, *2017* ~~2012~~.

Section 20. Subsections (1) and (8) of section 440.192, Florida Statutes, are amended to read:

440.192 Procedure for resolving benefit disputes.—

(1) Any employee may, for any benefit that is ripe, due, and owing, file ~~by certified mail, or by electronic means approved by the Deputy Chief Judge,~~ with the Office of the Judges of Compensation Claims a petition for benefits which meets the requirements of this section and the definition of specificity in s. 440.02. *An employee represented by an attorney shall file by electronic means approved by the Deputy Chief Judge. An employee not represented by an attorney may file by certified mail or by electronic means approved by the Deputy Chief Judge.* The department shall inform employees of the location of the Office of the Judges of Compensation Claims *and the office's website address* for purposes of filing a petition for benefits. The employee shall also serve copies of the petition for benefits by certified mail, or by electronic means approved by the Deputy Chief Judge, upon the employer and the employer's carrier. The *Deputy* Chief Judge shall refer the petitions to the judges of compensation claims.

(8) Within 14 days after receipt of a petition for benefits by certified mail *or by approved electronic means*, the carrier must either pay the requested benefits without prejudice to its right to deny within 120 days from receipt of the petition or file a response to petition with the Office of the Judges of Compensation Claims. *The response shall be filed by electronic means approved by the Deputy Chief Judge.* The carrier must list all benefits requested but not paid and explain its justification for nonpayment in the response to petition. A carrier that does not deny compensability in accordance with s. 440.20(4) is deemed to have accepted the employee's injuries as compensable, unless it can establish material facts relevant to the issue of compensability that could not have been discovered through reasonable investigation within the 120-day period. The carrier shall provide copies of the response to the filing party, employer, and claimant by certified mail *or by electronic means approved by the Deputy Chief Judge*.

Section 21. Subsection (1) and paragraphs (a), (c), and (e) of subsection (4) of section 440.25, Florida Statutes, are amended to read:

440.25 Procedures for mediation and hearings.—

(1) Forty days after a petition for benefits is filed under s. 440.192, the judge of compensation claims shall notify the interested parties by order that a mediation conference concerning such petition has been scheduled unless the parties have notified the judge of compensation claims that a private mediation has been held or is scheduled to be held. A mediation, whether private or public, shall be held within 130 days after the filing of the petition. Such order must give the date the mediation conference is to be held. Such order may be served personally upon the interested parties or may be sent to the interested parties by mail *or by electronic means approved by the Deputy Chief Judge*. If multiple petitions are pending, or if additional petitions are filed after the sche-

duling of a mediation, the judge of compensation claims shall consolidate all petitions into one mediation. The claimant or the adjuster of the employer or carrier may, at the mediator's discretion, attend the mediation conference by telephone or, if agreed to by the parties, other electronic means. A continuance may be granted upon the agreement of the parties or if the requesting party demonstrates to the judge of compensation claims that the reason for requesting the continuance arises from circumstances beyond the party's control. Any order granting a continuance must set forth the date of the rescheduled mediation conference. A mediation conference may not be used solely for the purpose of mediating attorney's fees.

(4)(a) If the parties fail to agree to written submission of pretrial stipulations, the judge of compensation claims shall conduct a live pretrial hearing. The judge of compensation claims shall give the interested parties at least 14 days' advance notice of the pretrial hearing by mail *or by electronic means approved by the Deputy Chief Judge*.

(c) The judge of compensation claims shall give the interested parties at least 14 days' advance notice of the final hearing, served upon the interested parties by mail *or by electronic means approved by the Deputy Chief Judge*.

(e) The order making an award or rejecting the claim, referred to in this chapter as a "compensation order," shall set forth the findings of ultimate facts and the mandate; and the order need not include any other reason or justification for such mandate. The compensation order shall be filed in the Office of the Judges of Compensation Claims at Tallahassee. A copy of such compensation order shall be sent by mail *or by electronic means approved by the Deputy Chief Judge* to the ~~parties and~~ attorneys of record *and any parties not represented by an attorney* at the last known address of each, with the date of mailing noted thereon.

Section 22. Subsection (3) of section 440.29, Florida Statutes, is amended to read:

440.29 Procedure before the judge of compensation claims.—

(3) The practice and procedure before the judges of compensation claims shall be governed by rules adopted by the *Office of the Judges of Compensation Claims* ~~Supreme Court~~, except to the extent that such rules conflict with the provisions of this chapter.

Section 23. Subsection (4) of section 440.45, Florida Statutes, is amended to read:

440.45 Office of the Judges of Compensation Claims.—

(4) The Office of the Judges of Compensation Claims shall adopt rules to *effectuate* ~~effect~~ the purposes of this section. Such rules shall include procedural rules applicable to workers' compensation claim resolution*, including rules requiring electronic filing and service where deemed appropriate by the Deputy Chief Judge,* and uniform criteria for measuring the performance of the office, including, but not limited to, the number of cases assigned and *resolved* ~~disposed~~, the age of pending and *resolved* ~~disposed~~ cases, timeliness of *decisions* ~~decisionmaking~~, extraordinary fee awards, and other data necessary for the judicial nominating commission to review the performance of judges as required in paragraph (2)(c). ~~The workers' compensation rules of procedure approved by the Supreme Court apply until the rules adopted by the Office of the Judges of Compensation Claims pursuant to this section become effective.~~

Section 24. Subsection (4) is added to section 440.33, Florida Statutes, to read:

440.33 Powers of judges of compensation claims.—

(4)(a) Whenever the circuit court in a county is closed by official action of the chief circuit judge or a designated official due to a weather or other disaster-related emergency, any district office of the Office of the Judges of Compensation Claims which is located within that county shall likewise close for the duration of the emergency closure ordered for that circuit court.

(b) Any tolling order issued by the Supreme Court pertaining to matters pending before the circuit or county courts shall apply with equal force to all proceedings pending in any district office of the Office of the Judges of Compensation Claims which is located within a county designated by such tolling order in the same manner as if the compensation proceedings were civil proceedings pending in the courts of the county in which the district office is located. Following such a tolling order, all time limits for acts required by law and subject to the jurisdiction of the Office of the Judges of Compensation Claims shall be tolled as set forth in the order of the Supreme Court. A tolling order of the Supreme Court shall be considered authoritative upon the posting of the order to the court's website or other public dissemination, whichever occurs earlier.

Section 25. Subsection (2) of section 766.305, Florida Statutes, is amended to read:

766.305 Filing of claims and responses; medical disciplinary review.—

(2) The claimant shall furnish the division with as many copies of the petition as required for service upon the association, any physician and hospital named in the petition, and the Division of Medical Quality Assurance, along with a $15 filing fee payable to the Division of Administrative Hearings. Upon receipt of the petition, the division shall immediately ~~serve the association, by service upon the agent designated to accept service on behalf of the association, by registered or certified mail, and shall~~ mail copies of the petition, by registered or certified mail, to any physician, health care provider, and hospital named in the petition, and shall furnish a copy by *electronic means through the division's website or by* regular mail to the Division of Medical Quality Assurance*,* ~~and~~ the Agency for Health Care Administration*, and the association, by service upon the agent designated to accept service on behalf of the association*.

Section 26. Subsection (2) of section 766.309, Florida Statutes, is amended to read:

766.309 Determination of claims; presumption; findings of administrative law judge binding on participants.—

(2) If the administrative law judge determines that the injury alleged is not a birth-related neurological injury or that obstetrical services were not delivered by a participating physician at the birth, she or he shall enter an order and shall cause a copy of such order to be sent immediately to the parties by *electronic means through the division's website or by regular* ~~registered or certified~~ mail.

Section 27. Subsection (3) of section 766.31, Florida Statutes, is amended to read:

766.31 Administrative law judge awards for birth-related neurological injuries; notice of award.—

(3) A copy of the award shall be sent immediately by *electronic means through the division's website or by regular* ~~registered or certified~~ mail to each person served with a copy of the petition under s. 766.305(2).

Section 28. *Effective upon this act becoming a law, the Department of Management Services shall coordinate with all state agencies to identify all existing resources within each agency related to real estate leasing and facilities operations and maintenance. Agencies must submit the information to the Department of Management Services no later than August 1, 2010. By September 1, 2010, the Department of Management Services shall submit a plan to the President of the Senate, the Speaker of the House of Representatives, and the Governor and Cabinet for centralizing within the department all real estate leasing and facilities operations and maintenance. Such information shall be included in each agency's legislative budget request for the 2011-2012 fiscal year as a transfer to the Department of Management Services. This section expires July 1, 2011.*

Section 29. *(1) The Department of Management Services is appropriated a lump sum of $2,185,746 in recurring trust fund authority, 18 full-time positions, as listed below, and salary rate of 1,658,961 for the purpose of implementing the provisions of s. 20.22, Florida Statutes. No later than July 15, 2010, the department shall submit a budget amendment pursuant to the provisions of s. 216.181, Florida Statutes, specifying the allocation of positions by budget entity and trust fund. Positions authorized in this section shall be filled initially by majority approval of the Governor and Cabinet and shall be subject to Senate confirmation. Incumbents in positions authorized by this section on March 1, 2011, shall also be subject to Senate confirmation.*

(2) Effective July 1, 2010, the following additional Senior Management Service positions are authorized in the Department of Management Services:

(a) The Executive Director.

(b) The Deputy Executive Director.

(c) The Chief of Staff.

(d) The General Counsel.

(e) The Legislative Affairs Director.

(f) The Inspector General.

(g) The Director of the Division of Facilities Management and Building Construction.

(h) The Director of the Division of State Purchasing.

(i) The Public Information Administrator.

(j) The Director of Specialized Services.

(3) Effective July 1, 2010, the following additional Selected Exempt Service positions are authorized in the Department of Management Services:

(a) The Deputy Director of Facilities Management and Building Construction.

(b) The Chief of Operations and Maintenance – Facilities Management.

(c) The Chief of Real Property – Facilities Management.

(d) The Projects Management Administrator – Facilities Management.

(e) The Appraiser Administrator – Facilities Management.

(f) The Deputy Chief of Regional Facilities – Facilities Management.

(g) The Deputy Chief of Tallahassee Facilities – Facilities Management.

(h) The Systems Programming Administrator/Chief Information Officer.

(4) This section expires June 30, 2012.

Section 30. *The Department of Management Services is authorized to transfer revenues from the Operating Trust Fund in the purchasing oversight budget entity to the Administrative Trust Fund in the Department of Financial Services to support statewide purchasing operations.*

Section 31. *The Department of Management Services is authorized to transfer $320,000 from the Supervision Trust Fund to the Department of Environmental Protection for the creation of a comprehensive database of state-owned real property.*

Section 32. *Pursuant to s. 11.242, Florida Statutes, the Division of Statutory Revision of the Office of Legislative Services is directed to prepare a reviser's bill for consideration by the 2011 Regular Session of the Legislature to conform the Florida Statutes to the changes made by this act.*

Section 33. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to review of the Department of Management Services under the Florida Government Accountability Act; amending s. 20.22, F.S.; revising the governance of the department; amending ss. 57.111, 120.56, 120.569, 120.57, 552.40, 553.73, and 961.03, F.S.; providing for electronic filing and transmission procedures for certain actions, proceedings, and petitions; conforming provisions to changes made by the act; repealing s. 110.123(13), F.S., relating to creation and duties of the Florida State Employee Wellness Council; amending s. 120.54, F.S.; requiring a petitioner requesting an administrative hearing to include the petitioner's e-mail address; requiring the request for administrative hearing by a respondent to include the e-mail address of the party's counsel or qualified representative; creating s. 120.585, F.S.; requiring an attorney to use electronic means when filing a document with the Division of Administrative Hearings; encouraging a party not represented by an attorney to file documents whenever possible by electronic means through the division's website; amending s. 216.023, F.S.; requiring each agency head to provide an annual inventory containing specified information of all wireless devices and expenditures; creating s. 282.712, F.S.; providing legislative intent; providing requirements for the use of wireless communication devices by agency employees; requiring the agency to conduct a review of wireless communication device expenditures; requiring reimbursement of costs associated with certain personal use of wireless communication devices by employees; amending s. 287.05721, F.S.; repealing the definition of the term "council" as it relates to the Council on Efficient Government; repealing s. 287.0573, F.S., relating to creation of the Council on Efficient Government within the department; amending s. 287.0574, F.S.; conforming provisions to the elimination of the Council on Efficient Government; requiring the department to prepare a plan to centralize the fleet of state-owned motor vehicles; requiring the department to submit the plan to the Governor, Cabinet, and the Legislature by a specified date; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; amending ss. 440.192 and 440.25, F.S.; providing and revising procedures for filing petitions for benefits and other documents in workers' compensation benefits proceedings to provide for electronic filing and transmission under certain circumstances; amending ss. 440.29 and 440.45, F.S.; authorizing the Office of the Judges of Compensation Claims to adopt rules for certain purposes; amending s. 440.33, F.S.; providing for the application of an order issued by the chief circuit judge to close the courts of the county or a tolling order issued by the Supreme Court to any district office of the Office of the Judges of Compensation Claims which is located within the same county in which the order of closure or tolling order applies; providing for the time limits applicable to the jurisdiction of the Office of the Judges of Compensation Claims to apply following such order; amending ss. 766.305, 766.309, and 766.31, F.S.; authorizing the Division of Administrative Hearings to furnish by electronic means copies of certain petitions and orders relating to medical disciplinary reviews, claims, and awards; requiring the department to identify all resources relating to real estate leasing and facilities operations and maintenance within each state agency; requiring a report to the Governor, Cabinet, and Legislature by a specified date; requiring that the information be included within the agency's legislative budget request for the 2011-2012 fiscal year; providing an appropriation and authorizing positions within the department; requiring approval of the Governor and Cabinet and Senate confirmation for certain positions within the department; providing for repeal of the provisions by a date certain; authorizing the department to transfer certain funds for the purpose of statewide purchasing operations; authorizing the department to transfer certain funds for the creation of a comprehensive database of state-owned real property; providing a directive to the Division of Statutory Revision; providing effective dates.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for HB 5611** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Justice
Alexander	Dockery	Lawson
Altman	Fasano	Lynn
Aronberg	Gaetz	Negron
Baker	Garcia	Oelrich
Bennett	Gardiner	Peaden
Bullard	Gelber	Rich
Constantine	Haridopolos	Ring
Crist	Hill	Siplin
Dean	Jones	Smith
Detert	Joyner	Sobel

Storms Villalobos
Thrasher Wise

Nays—None

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5401, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5401

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5401, same being:

An act relating to clerks of the court.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Sandra "Sandy" Adams
Chair
s/ Gary Aubuchon, At Large
s/ Eric Eisnaugle
s/ Bill Galvano, At Large
s/ Adam Hasner, At Large
s/ Doug Holder
s/ Carlos Lopez-Cantera, At Large
Ari Abraham Porth
Darryl Ervin Rouson
Darren Soto
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
Joseph A. "Joe" Gibbons
At Large
s/ Paige Kreegel
s/ Charles McBurney
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for CS for HB 5401, relating to state judicial system, changes laws related to the state courts system, the Justice Administrative Commission, the state attorneys, the regional conflict counsels, the guardian ad litem, the Department of Legal Affairs and the clerks of court. The amendment also redirects revenue into the Administrative Trust Fund within the state courts and the State Attorney Revenue Trust Fund within the Justice Administrative Commission. Specifically the amendment:

- Redirects $50 of the Supreme Court filing fee from the Operating Trust Fund to the State Courts Revenue Trust Fund to fund court operations. In addition, the amendment renames the Operating Trust Fund in the state courts system as the Administrative Trust Fund.

- Requires court appointed counsel to maintain records and to ensure the redaction of privileged information so that the Justice Administrative Commission can inspect such records relating to the state's payment of legal services performed.

- Establishes rates to be set annually in the General Appropriations Act for court reporters, investigators, and Jimmy Ryce experts.

- Clarifies that the regional conflict counsels are to take 3.850 and 3.800 cases for certain indigent clients. These cases are related to post-conviction complaints against an person's attorney. Also, the regional conflict counsels can take termination of parental rights cases under chapter 63, Florida Statutes.

- Requires the clerk of court to make a search of property records and motor vehicle title records for a more accurate determination of indigency for the purposes of receiving the services of a public defender. Also, the amendment presumes that a person is not "indigent for costs" if the person's private attorney fees exceed a certain amount, with exceptions and provisions. Other changes are made to the definition of "indigent for costs" in order to control costs.

- Imposes additional penalties for court appointed counsel requesting payments after one and two years from the dispositions of cases. Also, requires a court appointed attorney paid by state funds to obtain approval from the court when requesting certain services for out of state due process providers.

- Requires due process providers paid from state funds by the Justice Administrative Commission to use electronic funds transfer beginning January 1, 2011.

- Provides criteria and conditions under which transcripts will be provided and specifies that the state will pay for only one original transcript when the state would provide transcripts to state paid court appointed attorneys.

- Clarifies that changes made in the 2009 session did not intend to assess filing fees for domestic violence cases.

- Requires the clerk of court to transmit moneys collected to the Department of Revenue within 10 working days after the end of the month instead of 20 days.

- Provides that the clerk of the court can release the initial application of an indigent client when using a collection agent to collect fees, service charges, fines and court costs.

- Revises the service units for clerk of court unit cost budgeting from four core services to ten case types. Also, provides a mechanism and timeframe for the release of funds to the clerks of court and the adjustment of approved unit costs.

- Deletes the reporting requirements of redundant budget expenditure reports submitted by the chief judge, state attorneys and public defenders.

- Clarifies that a new small claims fee created by the 2009 legislature for when a person files a small claims and a request for a replevin action to recover property at the same time shall only be required to pay one filing fee, not the combination of the two.

• Requires that a parent who qualifies and receives the services of regional conflict counsel or any other court appointed attorney under a child dependency case is responsible and liable for payment of the $50 civil indigency application fee.

• Clarifies that the existing $50 civil indigency application fee for dependency cases is mandatory. If the fee has not been paid within the seven days, the court is to enter an order requiring payment. Also, requires the court to order the payment of the application fee upon appointing counsel to the indigent party.

• Requires all guardian ad litem applicants certified on or after July 1, 2010, to undergo a level 2 background screening, which searches the state and national criminal history information. Also, allows the guardian ad litem to pay the reduced fee of $8 rather than the current fee of $24 to the Department of Law Enforcement for background screening.

• Provides for deposits in the Operating Trust Fund instead of the Legal Affairs Revolving Trust Fund within the Department of Legal Affairs.

• Provides a one year extension for the redaction of confidential information of the court records. The clerks must comply with this requirement by January 1, 2012.

• Clarifies that counties may impose one of the statutory surcharges to fund court facilities through local ordinance, but not more than one surcharge at the same time.

• Provides that the alteration of a vehicle tag, unlawful use of a temporary tag, failure to surrender a commercial license and certain restrictions on driver's licenses are punished as a moving violations which are noncriminal traffic infractions.

• Redirects the collection of criminal fines from cases in which adjudication is withheld to the General Revenue Fund instead of the State Courts Revenue Trust Fund.

• Directs funds collected on behalf of the state attorneys for the worthless check program and costs of prosecution to be deposited into the State Attorney Revenue Trust Fund rather than the State Attorney Contracts and Grants Trust Fund.

• Clarifies that the $20 court cost for crime stoppers is mandatory on all criminal convictions and criminal cases when adjudication is withheld.

• Provides that a judicial lien for attorney's fees or costs remains in force notwithstanding a child reaching the age of majority. Provides for imposition of a lien when a person receives state paid legal representation or due process costs in certain legal cases.

• Allows trial court administrators to appoint a court employee as a designee to approve certain expenditures.

• Clarifies that the $65 additional court cost on criminal convictions that is used by counties to fund court improvement projects must be defined as court improvement projects by the chief judge.

• Requires the Department of Law Enforcement to modify the statewide uniform statute table used by local law enforcement and state attorney offices in charging persons accused of committing crimes.

• Provides for the transfer of balances to the State Courts Revenue Trust Fund and the State Attorneys Revenue Trust Fund.

• Appropriates $3.6 million of nonrecurring funds from the Clerks of Court Trust Fund to assist the clerks of court with the backlog of foreclosure cases.

• Transfers $18.6 million from the State Courts Revenue Trust Fund to the Clerks of Court Trust Fund for the purpose of paying the 2009-2010 general revenue service charge for the clerks of court.

Conference Committee Amendment (878633)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 25.241, Florida Statutes, is amended to read:

25.241 Clerk of Supreme Court; compensation; assistants; filing fees, etc.—

(5) The Clerk of the Supreme Court is hereby required to prepare a statement of all fees collected each month and remit such statement, together with all fees collected by him or her, to the Chief Financial Officer. The Chief Financial Officer shall deposit $250 of each $300 filing fee and all other fees collected into the General Revenue Fund. The Chief Financial Officer shall deposit $50 of each filing fee collected into the *State Courts Revenue* ~~state court's Operating~~ Trust Fund to fund court *operations* ~~improvement projects~~ as authorized in the General Appropriations Act.

Section 2. Section 25.383, Florida Statutes, is amended to read:

25.383 Standards for court reporters; procedures; rules of professional conduct, discipline, and training.—The Supreme Court shall establish minimum standards and procedures for qualifications, certification, discipline, and training for court reporters. The Supreme Court shall determine the amount of fees to charge applicants for certification and renewal of certification. Fees shall be set in an amount necessary to recover the full cost of administering the certification process. All proceeds from fees collected pursuant to this section shall be deposited into the *Administrative* ~~Operating~~ Trust Fund within the state courts. The Supreme Court may appoint or employ such personnel as are necessary to assist the court in exercising its powers and performing its duties under this section.

Section 3. Section 25.3844, Florida Statutes, is amended to read:

25.3844 *Administrative* ~~Operating~~ Trust Fund.—

(1) The *Administrative* ~~Operating~~ Trust Fund is created within the state courts system.

(2) The fund is established ~~for use as a depository of fees and related revenue~~ for the purpose of supporting the ~~program~~ operations of the judicial branch and for such other purposes as may be appropriate, and shall be expended only pursuant to legislative appropriation or an approved amendment to the agency's operating budget pursuant to the provisions of chapter 216.

Section 4. Section 25.386, Florida Statutes, is amended to read:

25.386 Foreign language court interpreters.—The Supreme Court shall establish minimum standards and procedures for qualifications, certification, professional conduct, discipline, and training of foreign language court interpreters who are appointed by a court of competent jurisdiction. The Supreme Court shall set fees to be charged to applicants for certification and renewal of certification as a foreign language court interpreter. The revenues generated from such fees shall be used to offset the costs of administration of the certification program and shall be deposited into the *Administrative* ~~Operating~~ Trust Fund within the state courts system. The Supreme Court may appoint or employ such personnel as are necessary to assist the court in administering this section.

Section 5. Subsection (7) of section 27.40, Florida Statutes, is amended to read:

27.40 Court-appointed counsel; circuit registries; minimum requirements; appointment by court.—

(7)(a) A private attorney appointed by the court from the registry to represent a client is entitled to payment as provided in s. 27.5304. An attorney appointed by the court who is not on the registry list may be compensated under s. 27.5304 if the court finds in the order of appointment that there were no registry attorneys available for representation for that case.

(b)*1.* The attorney shall maintain appropriate documentation, including contemporaneous and detailed hourly accounting of time spent representing the client. If the attorney fails to maintain such contemporaneous and detailed hourly records, the attorney waives the right to seek compensation in excess of the flat fee established in s. 27.5304 and the General Appropriations Act. These records and documents are

subject to review by the Justice Administrative Commission, subject to the attorney-client privilege and work-product privilege. *The attorney shall maintain the records and documents in a manner that enables the attorney to redact any information subject to a privilege in order to facilitate the commission's review of the records and documents and not to impede such review. The attorney may redact information from the records and documents only to the extent necessary to comply with the privilege.*

2. If an attorney fails, refuses, or declines to permit the commission to review documentation for a case as provided in this paragraph, the attorney waives the right to seek, and the commission may not pay, compensation in excess of the flat fee established in s. 27.5304 and the General Appropriations Act for that case.

3. A finding by the commission that an attorney has waived the right to seek compensation in excess of the flat fee established in s. 27.5304 and the General Appropriations Act, as provided in this paragraph, is presumed to be valid, unless, as determined by a court, the commission's finding is not supported by competent and substantial evidence.

Section 6. Section 27.425, Florida Statutes, is amended to read:

27.425 Due process service rates; responsibilities of chief judge.—

(1) The *maximum* ~~chief judge of each circuit shall recommend~~ compensation rates for state-funded due process service providers in cases in which the court has appointed private counsel or declared a person indigent for costs *shall be specified annually in the General Appropriations Act*. For purposes of this section, due process compensation rates do not include attorney's fees for legal representation of the client.

~~(2) Annually, the chief judge shall submit proposed due process compensation rates to the Office of the State Courts Administrator for inclusion in the legislative budget request for the state courts system.~~

~~(3) The maximum rates shall be specified annually in the General Appropriations Act. For the 2007-2008 fiscal year, the maximum rates shall be the rates in effect on June 30, 2007.~~

(2)~~(4)~~ The total amount expended for providers of due process services in eligible cases may not exceed the amount budgeted in the General Appropriations Act for the particular due process service.

(3) The Justice Administrative Commission shall approve uniform contract forms for use in procuring due process services and uniform procedures for use by a due process provider, or a private attorney on behalf of a due process provider, in support of billing for due process services to demonstrate completion of the specified services.

Section 7. Subsections (5) and paragraph (a) of subsection (6) of section 27.511, Florida Statutes, are amended to read:

27.511 Offices of criminal conflict and civil regional counsel; legislative intent; qualifications; appointment; duties.—

(5) ~~Effective October 1, 2007,~~ When the Office of the Public Defender, at any time during the representation of two or more defendants, determines that the interests of those accused are so adverse or hostile that they cannot all be counseled by the public defender or his or her staff without a conflict of interest, or that none can be counseled by the public defender or his or her staff because of a conflict of interest, and the court grants the public defender's motion to withdraw, the office of criminal conflict and civil regional counsel shall be appointed and shall provide legal services, without additional compensation, to any person determined to be indigent under s. 27.52, who is:

(a) Under arrest for, or charged with, a felony;

(b) Under arrest for, or charged with:

1. A misdemeanor authorized for prosecution by the state attorney;

2. A violation of chapter 316 punishable by imprisonment;

3. Criminal contempt; or

4. A violation of a special law or county or municipal ordinance ancillary to a state charge or, if not ancillary to a state charge, only if the office of criminal conflict and civil regional counsel contracts with the county or municipality to provide representation pursuant to ss. 27.54 and 125.69.

The office of criminal conflict and civil regional counsel may not provide representation pursuant to this paragraph if the court, prior to trial, files in the cause an order of no imprisonment as provided in s. 27.512;

(c) Alleged to be a delinquent child pursuant to a petition filed before a circuit court;

(d) Sought by petition filed in such court to be involuntarily placed as a mentally ill person under part I of chapter 394, involuntarily committed as a sexually violent predator under part V of chapter 394, or involuntarily admitted to residential services as a person with developmental disabilities under chapter 393;

(e) Convicted and sentenced to death, for purposes of handling an appeal to the Supreme Court; ~~or~~

(f) ~~Is~~ Appealing a matter in a case arising under paragraphs (a)-(d)*; or*~~.~~

(g) Seeking correction, reduction, or modification of a sentence under Rule 3.800, Florida Rules of Criminal Procedure, or seeking postconviction relief under Rule 3.850, Florida Rules of Criminal Procedure, if, in either case, the court determines that appointment of counsel is necessary to protect a person's due process rights.

(6)(a) ~~Effective October 1, 2007,~~ The office of criminal conflict and civil regional counsel has primary responsibility for representing persons entitled to court-appointed counsel under the Federal or State Constitution or as authorized by general law in civil proceedings, including, but not limited to, proceedings under s. 393.12 and chapters 39, ~~390,~~ 392, 397, 415, 743, 744, and 984 *and proceedings to terminate parental rights under chapter 63. Private court-appointed counsel eligible under s. 27.40 have primary responsibility for representing minors who request counsel under s. 390.01114, the Parental Notice of Abortion Act; however, the office of criminal conflict and civil regional counsel may represent a minor under that section if the court finds that no private court-appointed attorney is available.*

Section 8. Section 27.52, Florida Statutes, is amended to read:

27.52 Determination of indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of a public defender under s. 27.51 based upon an inability to pay must apply to the clerk of the court for a determination of indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(a) The application must include, at a minimum, the following financial information:

1. Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

2. Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

3. Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

4. All liabilities and debts.

5. If applicable, the amount of any bail paid for the applicant's release from incarceration and the source of the funds.

The application must include a signature by the applicant which attests to the truthfulness of the information provided. The application form developed by the corporation must include notice that the applicant may seek court review of a clerk's determination that the applicant is not indigent, as provided in this section.

(b) An applicant shall pay a $50 application fee to the clerk for each application for court-appointed counsel filed. The applicant shall pay the fee within 7 days after submitting the application. If the applicant does not pay the fee prior to the disposition of the case, the clerk shall notify the court, and the court shall:

1. Assess the application fee as part of the sentence or as a condition of probation; or

2. Assess the application fee pursuant to s. 938.29.

(c) Notwithstanding any provision of law, court rule, or administrative order, the clerk shall assign the first $50 of any fees or costs paid by an indigent person as payment of the application fee. A person found to be indigent may not be refused counsel or other required due process services for failure to pay the fee.

(d) All application fees collected by the clerk under this section shall be transferred monthly by the clerk to the Department of Revenue for deposit in the Indigent Criminal Defense Trust Fund administered by the Justice Administrative Commission, to be used to as appropriated by the Legislature. The clerk may retain 2 percent of application fees collected monthly for administrative costs prior to remitting the remainder to the Department of Revenue.

(e)1. The clerk shall assist a person who appears before the clerk and requests assistance in completing the application, and the clerk shall notify the court if a person is unable to complete the application after the clerk has provided assistance.

2. If the person seeking appointment of a public defender is incarcerated, the public defender is responsible for providing the application to the person and assisting him or her in its completion and is responsible for submitting the application to the clerk on the person's behalf. The public defender may enter into an agreement for jail employees, pretrial services employees, or employees of other criminal justice agencies to assist the public defender in performing functions assigned to the public defender under this subparagraph.

(2) DETERMINATION BY THE CLERK.—The clerk of the court shall determine whether an applicant seeking appointment of a public defender is indigent based upon the information provided in the application and the criteria prescribed in this subsection.

(a)1. An applicant, including an applicant who is a minor or an adult tax-dependent person, is indigent if the applicant's income is equal to or below 200 percent of the then-current federal poverty guidelines prescribed for the size of the household of the applicant by the United States Department of Health and Human Services or if the person is receiving Temporary Assistance for Needy Families-Cash Assistance, poverty-related veterans' benefits, or Supplemental Security Income (SSI).

2.*a.* There is a presumption that the applicant is not indigent if the applicant owns, or has equity in, any intangible or tangible personal property or real property or the expectancy of an interest in any such property having a net equity value of $2,500 or more, excluding the value of the person's homestead and one vehicle having a net value not exceeding $5,000.

b. Notwithstanding the information that the applicant provides, the clerk shall conduct a review of the property records for the county in which the applicant resides and the motor vehicle title records of the state to identify any property interests of the applicant under this subparagraph. The clerk shall evaluate and consider the results of the review in making a determination under this subsection. The clerk shall maintain the results of the review in a file with the application and provide the file to the court if the applicant seeks review under subsection (4) of the clerk's determination of indigent status.

(b) Based upon its review, the clerk shall make one of the following determinations:

1. The applicant is not indigent.

2. The applicant is indigent.

(c)1. If the clerk determines that the applicant is indigent, the clerk shall submit the determination to the office of the public defender and immediately file the determination in the case file.

2. If the public defender is unable to provide representation due to a conflict pursuant to s. 27.5303, the public defender shall move the court for withdrawal from representation and appointment of the office of criminal conflict and civil regional counsel.

(d) The duty of the clerk in determining whether an applicant is indigent shall be limited to receiving the application and comparing the information provided in the application to the criteria prescribed in this subsection. The determination of indigent status is a ministerial act of the clerk and not a decision based on further investigation or the exercise of independent judgment by the clerk. The clerk may contract with third parties to perform functions assigned to the clerk under this section.

(e) The applicant may seek review of the clerk's determination that the applicant is not indigent in the court having jurisdiction over the matter at the next scheduled hearing. If the applicant seeks review of the clerk's determination of indigent status, the court shall make a final determination as provided in subsection (4).

(3) APPOINTMENT OF COUNSEL ON INTERIM BASIS.—If the clerk of the court has not made a determination of indigent status at the time a person requests appointment of a public defender, the court shall make a preliminary determination of indigent status, pending further review by the clerk, and may, by court order, appoint a public defender, the office of criminal conflict and civil regional counsel, or private counsel on an interim basis.

(4) REVIEW OF CLERK'S DETERMINATION.—

(a) If the clerk of the court determines that the applicant is not indigent, and the applicant seeks review of the clerk's determination, the court shall make a final determination of indigent status by reviewing the information provided in the application against the criteria prescribed in subsection (2) and by considering the following additional factors:

1. Whether the applicant has been released on bail in an amount of $5,000 or more.

2. Whether a bond has been posted, the type of bond, and who paid the bond.

3. Whether paying for private counsel in an amount that exceeds the limitations in s. 27.5304, or other due process services creates a substantial hardship for the applicant or the applicant's family.

4. Any other relevant financial circumstances of the applicant or the applicant's family.

(b) Based upon its review, the court shall make one of the following determinations and, if the applicant is indigent, shall appoint a public defender, the office of criminal conflict and civil regional counsel, or, if appropriate, private counsel:

1. The applicant is not indigent.

2. The applicant is indigent.

(5) INDIGENT FOR COSTS.—A person who is eligible to be represented by a public defender under s. 27.51 but who is represented by private counsel not appointed by the court for a reasonable fee as approved by the court *or*~~,~~ on a pro bono basis, or who is proceeding pro se, may move the court for a determination that he or she is indigent for costs and eligible for the provision of due process services, as prescribed by ss. 29.006 and 29.007, funded by the state.

(a) The person must *file a written motion with the court and* submit to the court:

1. The completed application prescribed in subsection (1).

2. In the case of a person represented by counsel, an affidavit attesting to the estimated amount of attorney's fees and the source of payment for these fees.

(b) The person shall arrange for service of a copy of the motion and attachments on the Justice Administrative Commission. The commission has standing to appear before the court to contest any motion to declare a

person indigent for costs and may participate in a hearing on the motion by use of telephonic or other communication equipment.

(c) If the person did not apply for a determination of indigent status under subsection (1) in the same case and is not already liable for the application fee required under that subsection, he or she becomes liable for payment of the fee upon filing the motion with the court.

(d)~~(b)~~ In reviewing the motion, the court shall consider:

1. Whether the applicant applied for a determination of indigent status under subsection (1) and the outcome of such application.

2. The extent to which the person's income equals or exceeds the income criteria prescribed in subsection (2).

3. The additional factors prescribed in subsection (4).

4. Whether the applicant is proceeding pro se.

5. When the applicant retained private counsel.

6. The amount of any attorney's fees and who is paying the fees. *There is a presumption that the applicant is not indigent for costs if the amount of attorney's fees exceeds $5,000 for a noncapital case or $25,000 for a capital case in which the state is seeking the death penalty. To overcome this presumption, the applicant has the burden to show through clear and convincing evidence that the fees are reasonable based on the nature and complexity of the case. In determining the reasonableness of the fees, the court shall consider the amount that a private court-appointed attorney paid by the state would receive for providing representation for that type of case.*

(e)~~(c)~~ Based upon its review, the court shall make one of the following determinations:

1. The applicant is not indigent for costs.

2. The applicant is indigent for costs.

(f)~~(d)~~ The provision of due process services based upon a determination that a person is indigent for costs under this subsection must be effectuated pursuant to a court order, a copy of which the clerk shall provide to counsel representing the person, or to the person directly if he or she is proceeding pro se, for use in requesting payment of due process expenses through the Justice Administrative Commission. Private counsel representing a person declared indigent for costs shall execute the Justice Administrative Commission's contract for counsel representing persons determined to be indigent for costs. *Private counsel representing a person declared indigent for costs may not receive state funds, either directly or on behalf of due process providers, unless the attorney has executed the contract required under this paragraph.*

(g) Costs shall be reimbursed at the rates established under ss. 27.425 and 27.5305. To receive reimbursement of costs, either directly or on behalf of due process providers, private counsel representing a person declared indigent for costs shall comply with the procedures and requirements under this chapter governing billings by and compensation of private court-appointed counsel.

(h) The court may not appoint an attorney paid by the state based on a finding that the defendant is indigent for costs if the defendant has privately retained and paid counsel.

(i) A defendant who is found guilty of a criminal act by a court or jury or enters a plea of guilty or nolo contendere and who received due process services after being found indigent for costs under this subsection is liable for payment of due process costs expended by the state.

1. The attorney representing the defendant, or the defendant if he or she is proceeding pro se, shall provide an accounting to the court delineating all costs paid or to be paid by the state within 90 days after disposition of the case notwithstanding any appeals.

2. The court shall issue an order determining the amount of all costs paid by the state and any costs for which prepayment was waived under this section or s. 57.081. The clerk shall cause a certified copy of the order to be recorded in the official records of the county, at no cost. The recording constitutes a lien against the person in favor of the state in the county in which the order is recorded. The lien may be enforced in the same manner prescribed in s. 938.29.

3. If the attorney or the pro se defendant fails to provide a complete accounting of costs expended by the state and consequently costs are omitted from the lien, the attorney or pro se defendant may not receive reimbursement or any other form of direct or indirect payment for those costs if the state has not paid the costs. The attorney or pro se defendant shall repay the state for those costs if the state has already paid the costs. The clerk of the court may establish a payment plan under s. 28.246 and may charge the attorney or pro se defendant a one-time administrative processing charge under s. 28.24(26)(c).

(6) DUTIES OF PARENT OR LEGAL GUARDIAN.—A nonindigent parent or legal guardian of an applicant who is a minor or an adult tax-dependent person shall furnish the minor or adult tax-dependent person with the necessary legal services and costs incident to a delinquency proceeding or, upon transfer of such person for criminal prosecution as an adult pursuant to chapter 985, a criminal prosecution in which the person has a right to legal counsel under the Constitution of the United States or the Constitution of the State of Florida. The failure of a parent or legal guardian to furnish legal services and costs under this section does not bar the appointment of legal counsel pursuant to this section, s. 27.40, or s. 27.5303. When the public defender, the office of criminal conflict and civil regional counsel, a private court-appointed conflict counsel, or a private attorney is appointed to represent a minor or an adult tax-dependent person in any proceeding in circuit court or in a criminal proceeding in any other court, the parents or the legal guardian shall be liable for payment of the fees, charges, and costs of the representation even if the person is a minor being tried as an adult. Liability for the fees, charges, and costs of the representation shall be imposed in the form of a lien against the property of the nonindigent parents or legal guardian of the minor or adult tax-dependent person. The lien is enforceable as provided in s. 27.561 or s. 938.29.

(7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

(a) If the court learns of discrepancies between the application or motion and the actual financial status of the person found to be indigent or indigent for costs, the court shall determine whether the public defender, office of criminal conflict and civil regional counsel, or private attorney shall continue representation or whether the authorization for any other due process services previously authorized shall be revoked. The person may be heard regarding the information learned by the court. If the court, based on the information, determines that the person is not indigent or indigent for costs, the court shall order the public defender, office of criminal conflict and civil regional counsel, or private attorney to discontinue representation and revoke the provision of any other authorized due process services.

(b) If the court has reason to believe that any applicant, through fraud or misrepresentation, was improperly determined to be indigent or indigent for costs, the matter shall be referred to the state attorney. Twenty-five percent of any amount recovered by the state attorney as reasonable value of the services rendered, including fees, charges, and costs paid by the state on the person's behalf, shall be remitted to the Department of Revenue for deposit into the Grants and Donations Trust Fund within the Justice Administrative Commission. Seventy-five percent of any amount recovered shall be remitted to the Department of Revenue for deposit into the General Revenue Fund.

(c) A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 9. Subsection (4) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation.—

(4)*(a)* The attorney shall submit a bill for attorney's fees, costs, and related expenses within 90 days after the disposition of the case at the lower court level, notwithstanding any appeals. The Justice Administrative Commission shall provide by contract with the attorney for imposition of a penalty of:

1. Fifteen ~~15~~ percent of the allowable attorney's fees, costs, and related expenses for a bill that is submitted more than 90 days after the disposition of the case at the lower court level, notwithstanding any appeals;~~.~~

2. For cases for which disposition occurs on or after July 1, 2010, 50 percent of the allowable attorney's fees, costs, and related expenses for a bill that is submitted more than 1 year after the disposition of the case at the lower court level, notwithstanding any appeals; or

3. For cases for which disposition occurs on or after July 1, 2010, 75 percent of the allowable attorney's fees, costs, and related expenses for a bill that is submitted more than 2 years after the disposition of the case at the lower court level, notwithstanding any appeals.

(b) For purposes of this subsection, the term "disposition" means:

1. At the trial court level, that the court has entered a final appealable judgment, unless rendition of judgment is stayed by the filing of a timely motion for rehearing. The filing of a notice of appeal does not stay the time for submission of an intended billing; and

2. At the appellate court level, that the court has issued its mandate.

Section 10. Section 27.5305, Florida Statutes, is created to read:

27.5305 Attorney or provider compensation; conditions; requirements.—This section applies to the payment by the state through the Justice Administrative Commission of legal fees and due process costs in an eligible criminal or civil matter when a person receives the services of a private court-appointed attorney or is declared indigent for costs.

(1) ELECTRONIC FUNDS TRANSFER.—

(a) A person requesting compensation from the state through the Justice Administrative Commission for the provision of criminal or civil legal representation or other due process services must, as a condition for compensation, participate in a direct-deposit program under which the person authorizes the transfer of funds electronically to an account in the person's name at a federally chartered or state-chartered financial institution.

(b) The Justice Administrative Commission may exempt a person from compliance with this section if the commission finds that participation in a direct-deposit program creates a financial hardship for the person.

(c) This subsection applies to compensation for services that are provided on or after January 1, 2011.

(2) TRANSCRIPTS.—

(a) The state may pay for the cost of preparing a transcript of a deposition only if the private court-appointed attorney secures an order from the court finding that preparation of the transcript is necessary, in which case the state may pay for one original and one copy only.

(b) The state may pay for the cost of one original transcript of any deposition, hearing, or other proceeding. Any other payment for a transcript of that same deposition, hearing, or other proceeding, regardless of whether the transcript is an additional original transcript or a copy, shall be at the rate paid for a copy of a transcript. This paragraph applies regardless of which state agency pays for the first original transcript.

(3) COURT REPORTERS; INVESTIGATORS.—Beginning with the 2010-2011 fiscal year, and applicable to services performed starting in that year, uniform statewide rates shall be prescribed annually in the General Appropriations Act for the payment of:

(a) Court reporting services that are not provided through the state courts system; and

(b) Private investigation services.

(4) EXPERT WITNESSES; MITIGATION SPECIALISTS.—A private court-appointed attorney must obtain authorization from the court to employ an out-of-state expert or mitigation specialist upon a showing that an expert or mitigation specialist who has appropriate skills or expertise is not available from within the county in which the case was filed or from elsewhere in the state. An order authorizing the employment must be in writing and contain specific findings regarding the unavailability of a qualified in-state expert or mitigation specialist. The attorney shall submit a copy of the order to the Justice Administrative Commission.

(5) RIGHT TO DISCOVERY.—The Justice Administrative Commission has a right to engage in discovery in accordance with the Florida Rules of Civil Procedure on a motion to the court seeking payment of attorney's fees, costs, or other expenses. This right includes a reasonable opportunity to obtain discovery before a hearing on the motion.

Section 11. Subsection (7) is added to section 28.241, Florida Statutes, to read:

28.241 Filing fees for trial and appellate proceedings.—

(7) Nothing in this section authorizes the assessment of a filing fee if the assessment is otherwise prohibited by law.

Section 12. Section 28.245, Florida Statutes, is amended to read:

28.245 Transmittal of funds to Department of Revenue; uniform remittance form required.—Notwithstanding any other provision of law, all moneys collected by the clerks of the court as part of the clerk's court-related functions for subsequent distribution to any state entity must be transmitted electronically, by the *10th* ~~20th~~ day of the month immediately *after* ~~following~~ the month in which the moneys are collected, to the Department of Revenue for appropriate distribution. A uniform remittance form provided by the Department of Revenue detailing the specific amounts due each fund must accompany such submittal. All moneys collected by the clerks of court for remittance to any entity must be distributed pursuant to the law in effect at the time of collection.

Section 13. Subsection (6) of section 28.246, Florida Statutes, is amended to read:

28.246 Payment of court-related fees, charges, and costs; partial payments; distribution of funds.—

(6) A clerk of court shall pursue the collection of any fees, service charges, fines, court costs, and liens for the payment of attorney's fees and costs pursuant to s. 938.29 which remain unpaid after 90 days by referring the account to a private attorney who is a member in good standing of The Florida Bar or collection agent who is registered and in good standing pursuant to chapter 559. In pursuing the collection of such unpaid financial obligations through a private attorney or collection agent, the clerk of the court must have attempted to collect the unpaid amount through a collection court, collections docket, or other collections process, if any, established by the court, find this to be cost-effective and follow any applicable procurement practices. The collection fee, including any reasonable attorney's fee, paid to any attorney or collection agent retained by the clerk may be added to the balance owed in an amount not to exceed 40 percent of the amount owed at the time the account is referred to the attorney or agent for collection. *The clerk shall give the private attorney or collection agent the application for the appointment of court-appointed counsel regardless of whether the court file is otherwise confidential from disclosure.*

Section 14. Subsections (3) and (10) of section 28.36, Florida Statutes, are amended to read:

28.36 Budget procedure.—There is established a budget procedure for preparing budget requests for funding for the court-related functions of the clerks of the court.

(3) Each clerk shall include in his or her budget request the number of personnel and the proposed budget for each of the following core services:

(a) *Circuit criminal* ~~Case processing~~.

(b) *County criminal* ~~Financial processing~~.

(c) *Juvenile delinquency* ~~Jury management~~.

(d) *Criminal traffic* ~~Information and reporting~~.

(e) Circuit civil.

(f) County civil.

(g) Civil traffic.

(h) Probate.

(i) Family.

(j) Juvenile dependency.

Central administrative costs shall be allocated among the core-services categories.

(10)*(a) Beginning in the 2010-2011 fiscal year, the corporation shall release appropriations to each clerk quarterly. If funds in the Clerks of Court Trust Fund are insufficient to provide a release in a quarter in a single release, the corporation may release partial amounts for that quarter so long as the total of those partial amounts does not exceed that quarter's release. If funds in the Clerks of Court Trust Fund are insufficient for the first quarter release, the corporation may make a request to the Governor for a trust fund loan pursuant to chapter 215. The amount of the first three releases shall be based on one quarter of the estimated budget for each clerk as identified in the General Appropriations Act.*

(b) The corporation shall estimate the fourth quarter's number of units to be performed by each clerk. The amount of the fourth-quarter release shall be based on the approved unit cost times the estimated number of units of the fourth quarter with the following adjustment: the fourth-quarter release shall be adjusted based on the first three quarter's actual number of service units provided as reported to the corporation by each clerk. If the clerk has performed fewer service units in the first three quarters of the year compared to three quarters of the estimated number of service units in the General Appropriations Act, the corporation shall decrease the fourth-quarter release. The amount of the decrease shall equal the amount of the difference between estimated number of service units for the first three quarters and the actual number of service units provided in the first three quarters times the approved unit cost.

(c) No adjustment for the fourth-quarter release shall be made if the clerk has performed more units than the estimate for the first three quarters.

(d) If the clerk performs fewer units in the fourth quarter than estimated by the corporation, the corporation shall decrease the first-quarter release for the clerk in the next fiscal year by the amount of the difference between the estimated number of service units for the fourth quarter and the actual number of service units performed in that quarter times the approved unit cost.

(e) The total of all releases to the clerks of court may not exceed the amount appropriated in the General Appropriations Act. If, during the year, the corporation determines that the projected releases of appropriations for service units will exceed the estimate used in the General Appropriations Act and result in statewide expenditures greater than the amount appropriated by law, the corporation shall reduce all service unit costs of all clerks by the amount necessary to ensure that service units are funded within the total amount appropriated to the clerks of court. If such action is necessary, the corporation shall notify the Legislative Budget Commission. If the Legislative Budget Commission objects to the adjustments, the Legislative Budget Commission shall adjust all service unit costs by the amount necessary to ensure that projected units of service are funded within the total amount appropriated to the clerks of court at its next scheduled meeting. ~~For the 2009-2010 fiscal year, the corporation shall release appropriations in an amount equal to one twelfth of each clerk's approved budget each month. The statewide total appropriation for the 2009-2010 fiscal year shall be set in the General Appropriations Act. The corporation shall determine the amount of each clerk of court budget, but the statewide total of such amounts may not exceed the amount listed in the General Appropriations Act. Beginning in the 2010-2011 fiscal year, the corporation shall release appropriations to each clerk quarterly. The amount of the release shall be based on the prior quarter's performance of service units identified in the four core services and the established unit costs for each clerk.~~

Section 15. *Section 29.0095, Florida Statutes, is repealed.*

Section 16. Section 29.0195, Florida Statutes, is amended to read:

29.0195 Recovery of expenditures for state-funded services.—The trial court administrator of each circuit shall recover expenditures for state-funded services when those services have been furnished to a user of the state court system who possesses the present ability to pay. The rate of compensation for such services shall be the actual cost of the services, including the cost of recovery. The trial court administrator shall deposit moneys recovered under this section in the *Administrative* ~~Operating~~ Trust Fund within the state *courts* ~~court~~ system. The trial court administrator shall recover the costs of court reporter services and transcription; court interpreter services, including translation; and any other service for which state funds were used to provide a product or service within the circuit. This section does not authorize cost recovery from entities described in ss. 29.005, 29.006, and 29.007.

Section 17. Paragraph (a) of subsection (1) of section 34.041, Florida Statutes, is amended to read:

34.041 Filing fees.—

(1)(a) Upon the institution of any civil action, suit, or proceeding in county court, the party shall pay the following filing fee, not to exceed:

1. For all claims less than $100 . . . . . $50.

2. For all claims of $100 or more but not more than $500. . . . . $75.

3. For all claims of more than $500 but not more than $2,500 . . . . . $170.

4. For all claims of more than $2,500 . . . . . $295.

5. In addition, for all proceedings of garnishment, attachment, replevin, and distress . . . . . $85.

6. Notwithstanding subparagraphs 3. and 5., for all claims of not more than $1,000 filed simultaneously with an action for replevin of property that is the subject of the claim . . . . . $125.

7. For removal of tenant action. . . . . $180.

The filing fee in subparagraph 6. is the total fee due under this paragraph for that type of filing, and no other filing fee under this paragraph may be assessed against such a filing.

Section 18. Subsection (6) of section 35.22, Florida Statutes, is amended to read:

35.22 Clerk of district court; appointment; compensation; assistants; filing fees; teleconferencing.—

(6) The clerk of each district court of appeal is required to deposit all fees collected in the State Treasury to the credit of the General Revenue Fund, except that $50 of each $300 filing fee collected shall be deposited into the *State Courts Revenue* ~~state court's Operating~~ Trust Fund to fund court *operations* ~~improvement projects~~ as authorized in the General Appropriations Act. The clerk shall retain an accounting of each such remittance.

Section 19. Section 39.0134, Florida Statutes, is amended to read:

39.0134 Appointed counsel; compensation.—

(1) If counsel is entitled to receive compensation for representation pursuant to a court appointment in a dependency proceeding or a termination of parental rights proceeding pursuant to this chapter, compensation shall be paid in accordance with s. 27.5304. The state may acquire and enforce a lien upon court-ordered payment of attorney's fees and costs in *the same manner prescribed in s. 938.29* ~~accordance with s. 984.08~~.

(2)(a) A parent whose child is dependent, regardless of whether adjudication was withheld, or whose parental rights are terminated and who has received the assistance of the office of criminal conflict and civil regional counsel, or any other court-appointed attorney, or who has received due process services after being found indigent for costs, shall be liable for payment of the assessed application fee under s. 57.082, together with reasonable attorney's fees and costs as determined by the court.

(b) If reasonable attorney's fees or costs are assessed, the court, at its discretion, may make payment of the fees or costs part of any case plan in dependency proceedings. However, a case plan may not remain open for the sole issue of payment of attorney's fees or costs. At the court's discretion, a lien upon court-ordered payment of attorney's fees and costs may be ordered by the court and enforced in the same manner prescribed in s. 938.29.

(c) The clerk of the court shall transfer monthly all attorney's fees and costs collected under this subsection to the Department of Revenue for deposit into the Indigent Civil Defense Trust Fund, to be used as appropriated by the Legislature and consistent with s. 27.511.

Section 20. Subsection (1) of section 39.821, Florida Statutes, is amended to read:

39.821 Qualifications of guardians ad litem.—

(1) Because of the special trust or responsibility placed in a guardian ad litem, the Guardian Ad Litem Program may use any private funds collected by the program, or any state funds so designated, to conduct a security background investigation before certifying a volunteer to serve. A security background investigation must include, but need not be limited to, employment history checks, checks of references, local criminal *history* records checks through local law enforcement agencies, and statewide criminal *history* records checks through the Department of Law Enforcement. Upon request, an employer shall furnish a copy of the personnel record for the employee or former employee who is the subject of a security background investigation conducted under this section. The information contained in the personnel record may include, but need not be limited to, disciplinary matters and the reason why the employee was terminated from employment. An employer who releases a personnel record for purposes of a security background investigation is presumed to have acted in good faith and is not liable for information contained in the record without a showing that the employer maliciously falsified the record. A security background investigation conducted under this section must ensure that a person is not certified as a guardian ad litem if the person has *an arrest awaiting final disposition for,* been convicted of, regardless of adjudication, ~~or~~ entered a plea of nolo contendere or guilty to, *or has been adjudicated delinquent and the record has not been sealed or expunged for,* any offense prohibited under *the provisions listed in s. 435.04. All applicants certified on or after July 1, 2010, must undergo a level 2 background screening pursuant to chapter 435 before being certified* ~~the provisions of the Florida Statutes specified in s. 435.04(2) or under any similar law in another jurisdiction. Before certifying an applicant~~ to serve as a guardian ad litem~~, the Guardian Ad Litem Program may request a federal criminal records check of the applicant through the Federal Bureau of Investigation~~. In analyzing and evaluating the information obtained in the security background investigation, the program must give particular emphasis to past activities involving children, including, but not limited to, child-related criminal offenses or child abuse. The program has the sole discretion in determining whether to certify a person based on his or her security background investigation. The information collected pursuant to the security background investigation is confidential and exempt from s. 119.07(1).

Section 21. Subsections (1) and (5) of section 57.082, Florida Statutes, are amended to read:

57.082 Determination of civil indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of an attorney in a civil case eligible for court-appointed counsel, or seeking relief from payment of filing fees and prepayment of costs under s. 57.081, based upon an inability to pay must apply to the clerk of the court for a determination of civil indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(a) The application must include, at a minimum, the following financial information:

1. Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

2. Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

3. Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

4. All liabilities and debts.

The application must include a signature by the applicant which attests to the truthfulness of the information provided. The application form developed by the corporation must include notice that the applicant may seek court review of a clerk's determination that the applicant is not indigent, as provided in this section.

(b) The clerk shall assist a person who appears before the clerk and requests assistance in completing the application, and the clerk shall notify the court if a person is unable to complete the application after the clerk has provided assistance.

(c) The clerk shall accept an application that is signed by the applicant and submitted on his or her behalf by a private attorney who is representing the applicant in the applicable matter.

(d) A person who seeks appointment of an attorney in a *proceeding* ~~case~~ under chapter 39, at *shelter hearings or during the adjudicatory process, during the judicial review process, upon the filing of a petition to terminate parental rights, or upon the filing of any appeal, or if the person seeks appointment of an attorney in a reopened proceeding* ~~the trial or appellate level~~, for which an indigent person is eligible for court-appointed representation~~,~~ *must* ~~shall~~ pay a $50 application fee to the clerk for each application filed. *A person is not required to pay more than one application fee per case. However, an appeal or the reopening of a proceeding shall be deemed to be a distinct case.* The applicant *must* ~~shall~~ pay the fee within 7 days after submitting the application. *If the applicant has not paid the fee within 7 days, the court shall enter an order requiring payment, and the clerk shall pursue collection under s. 28.246.* The clerk shall transfer monthly all application fees collected under this paragraph to the Department of Revenue for deposit into the Indigent Civil Defense Trust Fund, to be used as appropriated by the Legislature. The clerk may retain 10 percent of application fees collected monthly for administrative costs prior to remitting the remainder to the Department of Revenue. ~~A person found to be indigent may not be refused counsel.~~ If the person cannot pay the application fee, the clerk shall enroll the person in a payment plan pursuant to s. 28.246.

(5) APPOINTMENT OF COUNSEL.—In appointing counsel after a determination that a person is indigent under this section, the court shall first appoint the office of criminal conflict and civil regional counsel, as provided in s. 27.511, unless specific provision is made in law for the appointment of the public defender in the particular civil proceeding. *The court shall also order the person to pay the application fee under subsection (1), or enroll in a payment plan if he or she is unable to pay the fee, if the fee remains unpaid or if the person has not enrolled in a payment plan at the time the court appoints counsel. However, a person who is found to be indigent may not be refused counsel.*

Section 22. Subsection (4) of section 68.085, Florida Statutes, is amended to read:

68.085 Awards to plaintiffs bringing action.—

(4) Following any distributions under subsection (1), subsection (2), or subsection (3), the agency injured by the submission of a false or fraudulent claim shall be awarded an amount not to exceed its compensatory damages. If the action was based on a claim of funds from the state Medicaid program, 10 percent of any remaining proceeds shall be deposited into the *Operating* ~~Legal Affairs Revolving~~ Trust Fund to fund rewards for persons who report and provide information relating to Medicaid fraud pursuant to s. 409.9203. Any remaining proceeds, including civil penalties awarded under s. 68.082, shall be deposited in the General Revenue Fund.

Section 23. Subsection (2) of section 119.0714, Florida Statutes, is amended to read:

119.0714 Court files; court records; official records.—

(2) COURT RECORDS.—

(a) Until January 1, *2012* ~~2011~~, if a social security number or a bank account, debit, charge, or credit card number is included in a court file, such number may be included as part of the court record available for public inspection and copying unless redaction is requested by the holder of such number or by the holder's attorney or legal guardian.

(b) A request for redaction must be a signed, legibly written request specifying the case name, case number, document heading, and page number. The request must be delivered by mail, facsimile, electronic transmission, or in person to the clerk of the court. The clerk of the court does not have a duty to inquire beyond the written request to verify the identity of a person requesting redaction.

(c) A fee may not be charged for the redaction of a social security number or a bank account, debit, charge, or credit card number pursuant to such request.

(d) The clerk of the court has no liability for the inadvertent release of social security numbers, or bank account, debit, charge, or credit card numbers, unknown to the clerk of the court in court records filed on or before January 1, *2012* ~~2011~~.

(e)1. On January 1, *2012* ~~2011~~, and thereafter, the clerk of the court must keep social security numbers confidential and exempt as provided for in s. 119.071(5)(a), and bank account, debit, charge, and credit card numbers exempt as provided for in s. 119.071(5)(b), without any person having to request redaction.

2. Section 119.071(5)(a)7. and 8. does not apply to the clerks of the court with respect to court records.

Section 24. Paragraph (b) of subsection (13) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(13)

(b) A county may ~~not~~ impose *a surcharge* ~~the surcharges authorized~~ under *subparagraph* ~~subparagraphs~~ (a)1., *subparagraph(a)*2., *or* ~~and~~ *subparagraph(a)*3., *but may not impose more than one surcharge under this subsection* ~~concurrently~~. *A county may elect to impose a different authorized surcharge but may not impose more than one surcharge at a time.* The clerk of court shall report, no later than 30 days after the end of the quarter, the amount of funds collected under this subsection during each quarter of the fiscal year. The clerk shall submit the report, in a format developed by the Office of State Courts Administrator, to the chief judge of the circuit, the Governor, the President of the Senate, the Speaker of the House of Representatives, and the board of county commissioners.

Section 25. Effective October 1, 2010, section 320.061, Florida Statutes, is amended to read:

320.061 Unlawful to alter motor vehicle registration certificates, license plates, mobile home stickers, or validation stickers or to obscure license plates; penalty.—No person shall alter the original appearance of any registration license plate, mobile home sticker, validation sticker, or vehicle registration certificate issued for and assigned to any motor vehicle or mobile home, whether by mutilation, alteration, defacement, or change of color or in any other manner. No person shall apply or attach any substance, reflective matter, illuminated device, spray, coating, covering, or other material onto or around any license plate that interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate or interferes with the ability to record any feature or detail on the license plate. Any person who violates this section commits a *noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318* ~~misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083~~.

Section 26. Effective October 1, 2010, subsection (3) of section 320.131, Florida Statutes, is amended to read:

320.131 Temporary tags.—

(3) Any person or corporation who unlawfully issues or uses a temporary tag or violates this section or any rule adopted by the department to implement this section *commits* ~~is guilty of~~ a *noncriminal infraction, punishable as a moving violation as provided in chapter 318* ~~misdemeanor of the second degree punishable as provided in s. 775.082 or s. 775.083~~ in addition to other administrative action by the department.~~, except that~~ Using a temporary tag that has been expired for a period of 7 days or less is a noncriminal infraction, and is a nonmoving violation punishable as provided for in chapter 318.

Section 27. Effective October 1, 2010, subsections (1) and (5) of section 322.03, Florida Statutes, are amended to read:

322.03 Drivers must be licensed; penalties.—

(1) Except as otherwise authorized in this chapter, a person may not drive any motor vehicle upon a highway in this state unless such person has a valid driver's license issued under this chapter.

(a) A person who drives a commercial motor vehicle may not receive a driver's license unless and until he or she surrenders to the department all driver's licenses in his or her possession issued to him or her by any other jurisdiction or makes an affidavit that he or she does not possess a driver's license. Any such person who fails to surrender such licenses *commits a noncriminal infraction, punishable as a moving violation as set forth in chapter 318. Any such person* ~~or~~ who makes a false affidavit concerning such licenses commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) All surrendered licenses may be returned by the department to the issuing jurisdiction together with information that the licensee is now licensed in a new jurisdiction or may be destroyed by the department, which shall notify the issuing jurisdiction of such destruction. A person may not have more than one valid driver's license at any time.

(c) Part-time residents of this state issued a license that is valid within this state only under paragraph (b) as that paragraph existed before November 1, 2009, may continue to hold such license until the next issuance of a Florida driver's license or identification card. Licenses that are identified as "Valid in Florida Only" may not be issued or renewed effective November 1, 2009. This paragraph expires June 30, 2017.

(5) It is a violation of this section for any person whose driver's license has been expired for more than *6* ~~4~~ months to operate a motor vehicle on the highways of this state.

Section 28. Effective October 1, 2010, subsections (5) and (6) of section 322.16, Florida Statutes, are amended to read:

322.16 License restrictions.—

(5) It is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for any person to operate a motor vehicle in any manner in violation of the restrictions imposed *under paragraph (1)(c)* ~~in a license issued to him or her except for a violation of paragraph (1)(d), subsection (2), or subsection (3)~~.

(6) Any person who operates a motor vehicle in violation of the restrictions imposed *under paragraph (1)(a), paragraph (1)(b),* ~~in~~ subsection (2)*,* or subsection (3) will be charged with a moving violation and fined in accordance with chapter 318.

Section 29. Subsection (1) of section 775.083, Florida Statutes, is amended to read:

775.083 Fines.—

(1) A person who has been convicted of an offense other than a capital felony may be sentenced to pay a fine in addition to any punishment described in s. 775.082; when specifically authorized by statute, he or she may be sentenced to pay a fine in lieu of any punishment described in s. 775.082. A person who has been convicted of a noncriminal violation may be sentenced to pay a fine. Fines for designated crimes and for noncriminal violations shall not exceed:

(a) $15,000, when the conviction is of a life felony.

(b) $10,000, when the conviction is of a felony of the first or second degree.

(c) $5,000, when the conviction is of a felony of the third degree.

(d) $1,000, when the conviction is of a misdemeanor of the first degree.

(e) $500, when the conviction is of a misdemeanor of the second degree or a noncriminal violation.

(f) Any higher amount equal to double the pecuniary gain derived from the offense by the offender or double the pecuniary loss suffered by the victim.

(g) Any higher amount specifically authorized by statute.

Fines imposed in this subsection shall be deposited by the clerk of the court in the fine and forfeiture fund established pursuant to s. 142.01, except that *the clerk shall remit* fines imposed when adjudication is withheld *to the Department of Revenue for deposit* ~~shall be deposited~~ in the *General Revenue Fund* ~~State Courts Revenue Trust Fund, and such fines imposed when adjudication is withheld are not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35~~. If a defendant is unable to pay a fine, the court may defer payment of the fine to a date certain. As used in this subsection, the term "convicted" or "conviction" means a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

Section 30. Subsection (5) of section 832.08, Florida Statutes, is amended to read:

832.08 State attorney bad check diversion program; fees for collections.—

(5) To fund the diversion program, the state attorney may collect a fee on each check that is collected through the state attorney's office, whether it is collected through prosecution or through the diversion program. *Funds collected under this subsection shall be deposited in the State Attorneys Revenue Trust Fund.* However, the state attorney may not collect such a fee on any check collected through a diversion program which was in existence in another office prior to October 1, 1986. A fee may be collected by an office operating such a preexisting diversion program for the purpose of funding such program. The amount of the fee for each check shall not exceed:

(a) Twenty-five dollars, if the face value does not exceed $50.

(b) Thirty dollars, if the face value is more than $50 but does not exceed $300.

(c) Forty dollars, if the face value is more than $300.

Section 31. Section 938.06, Florida Statutes, is amended to read:

938.06 ~~Additional~~ Cost for crime stoppers programs.—

(1) In addition to any fine prescribed by law*, when a person is convicted of* ~~for~~ any criminal offense, *the county or circuit court shall assess* ~~there is hereby assessed as~~ a court cost ~~an additional surcharge~~ of $20 ~~on such fine, which shall be imposed by all county and circuit courts and collected by the clerks of the courts together with such fine~~.

(2) The clerk of the court shall collect and forward, on a monthly basis, all costs assessed under this section, less $3 per assessment as a service charge to be retained by the clerk, to the Department of Revenue for deposit in the Crime Stoppers Trust Fund, to be used as provided in s. 16.555.

(3) As used in this section, the term "convicted" means a determination of guilt that is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

Section 32. Subsection (8) of section 938.27, Florida Statutes, is amended to read:

938.27 Judgment for costs on conviction.—

(8) Costs for the state attorney shall be set in all cases at no less than $50 per case when a misdemeanor or criminal traffic offense is charged and no less than $100 per case when a felony offense is charged, including a proceeding in which the underlying offense is a violation of probation or community control. The court may set a higher amount upon a showing of sufficient proof of higher costs incurred. Costs recovered on behalf of the state attorney under this section shall be deposited into the State *Attorneys Revenue* ~~attorney's grants and donations~~ Trust Fund to be used during the fiscal year in which the funds are collected, or in any subsequent fiscal year, for actual expenses incurred in investigating and prosecuting criminal cases, which may include the salaries of permanent employees, or for any other purpose authorized by the Legislature.

Section 33. Paragraph (b) of subsection (2) of section 938.29, Florida Statutes, is amended to read:

938.29 Legal assistance; lien for payment of attorney's fees or costs.—

(2)

(b) A judgment showing the name and residence of the defendant-recipient or parent shall be recorded in the public record, without cost, by the clerk of the circuit court in the county where the defendant-recipient or parent resides and in each county in which such defendant-recipient or parent then owns or later acquires any property. Such judgments shall be enforced on behalf of the state by the clerk of the circuit court of the county in which assistance was rendered. *The lien against a parent shall remain in force notwithstanding the child becoming emancipated or the child reaching the age of majority.*

Section 34. Section 939.08, Florida Statutes, is amended to read:

939.08 Costs to be certified before audit.—In all cases wherein is claimed the payment of applicable bills of costs, fees, or expenses of the state courts system as provided in s. 29.004, other than juror and witness fees, in the adjudication of any case payable by the state, the trial court administrator *or the administrator's designee* shall review the itemized bill. The bill shall not be paid until the trial court administrator *or the administrator's designee* has approved it and certified that it is just, correct, and reasonable and contains no unnecessary or illegal item.

Section 35. Paragraph (a) of subsection (1) of section 939.185, Florida Statutes, is amended to read:

939.185 Assessment of additional court costs and surcharges.—

(1)(a) The board of county commissioners may adopt by ordinance an additional court cost, not to exceed $65, to be imposed by the court when a person pleads guilty or nolo contendere to, or is found guilty of, or adjudicated delinquent for, any felony, misdemeanor, delinquent act, or criminal traffic offense under the laws of this state. Such additional assessment shall be accounted for separately by the county in which the offense occurred and be used only in the county imposing this cost, to be allocated as follows:

1. Twenty-five percent of the amount collected shall be allocated to fund innovations*, as determined by the chief judge of the circuit,* to supplement state funding for the elements of the state courts system identified in s. 29.004 and county funding for local requirements under s. 29.008(2)(a)2.

2. Twenty-five percent of the amount collected shall be allocated to assist counties in providing legal aid programs required under s. 29.008(3)(a).

3. Twenty-five percent of the amount collected shall be allocated to fund personnel and legal materials for the public as part of a law library.

4. Twenty-five percent of the amount collected shall be used as determined by the board of county commissioners to support teen court programs, except as provided in s. 938.19(7), juvenile assessment centers, and other juvenile alternative programs.

Each county receiving funds under this section shall report the amount of funds collected pursuant to this section and an itemized list of expenditures for all authorized programs and activities. The report shall be submitted in a format developed by the Supreme Court to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives on a quarterly basis beginning with the

quarter ending September 30, 2004. Quarterly reports shall be submitted no later than 30 days after the end of the quarter. Any unspent funds at the close of the county fiscal year allocated under subparagraphs 2., 3., and 4., shall be transferred for use pursuant to subparagraph 1.

Section 36. Subsection (15) is added to section 943.03, Florida Statutes, to read:

943.03 Department of Law Enforcement.—

(15) The Department of Law Enforcement, in consultation with the Criminal and Juvenile Justice Information Systems Council established in s. 943.06, shall modify the existing statewide uniform statute table in its criminal history system to meet the business requirements of state and local criminal justice and law enforcement agencies. In order to accomplish this objective, the department shall:

(a) Define the minimum business requirements necessary for successful implementation.

(b) Consider the charging and booking requirements of sheriffs' offices and police departments and the business requirements of state attorneys, public defenders, criminal conflict and civil regional counsel, clerks of court, judges, and state law enforcement agencies.

(c) Adopt rules establishing the necessary technical and business process standards required to implement, operate, and ensure uniform system use and compliance.

The required system modifications and adopted rules shall be implemented by December 31, 2012.

Section 37. Paragraph (b) of subsection (3) of section 943.053, Florida Statutes, is amended to read:

943.053 Dissemination of criminal justice information; fees.—

(3)

(b) The fee per record for criminal history information provided pursuant to this subsection and s. 943.0542 is $24 per name submitted, except that the fee for *the guardian ad litem program and* vendors of the Department of Children and Family Services, the Department of Juvenile Justice, and the Department of Elderly Affairs shall be $8 for each name submitted; the fee for a state criminal history provided for application processing as required by law to be performed by the Department of Agriculture and Consumer Services shall be $15 for each name submitted; and the fee for requests under s. 943.0542, which implements the National Child Protection Act, shall be $18 for each volunteer name submitted. The state offices of the Public Defender shall not be assessed a fee for Florida criminal history information or wanted person information.

Section 38. *The amount of unexpended balances in the state court's Operating Trust Fund attributable to collections made pursuant to ss. 25.241 and 35.22, Florida Statutes, before amendment by this act shall be transferred to the State Courts Revenue Trust Fund, FLAIR number 22-2-057. All other unexpended funds in the Operating Trust Fund are transferred to the Administrative Trust Fund within the state courts system.*

Section 39. *The amount of unexpended balances in the state attorney's grants and donations trust fund attributable to collections made pursuant to ss. 832.08 and 938.27, Florida Statutes, before amendment by this act shall be transferred to the State Attorneys Revenue Trust Fund, FLAIR number 21-2-058.*

Section 40. *The sum of $3,600,000 of nonrecurring funds from the Clerks of Court Trust Fund is appropriated to the Florida Clerks of Court Operations Corporation to be distributed to the clerks of court where the state court system has distributed the increased resources provided in the 2010-2011 General Appropriations Act for workload associated with foreclosure and economic recovery. The corporation shall submit a budget amendment pursuant to chapter 216, Florida Statutes, to distribute the funding among the clerks of court.*

Section 41. *The sum of $18,600,000 from the State Courts Revenue Trust Fund is transferred to the Clerks of the Court Trust Fund in the Justice Administrative Commission for the purpose of paying the general revenue service charge for the state fiscal year 2009-2010. This section shall take effect upon this act becoming a law.*

Section 42. 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, 2010.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the state judicial system; amending s. 25.241, F.S.; requiring that $50 from the Supreme Court filing fee be deposited into the State Courts Revenue Trust Fund to fund court operations; amending s. 25.383, F.S.; conforming provisions to the renaming of the Operating Trust Fund in the state courts system; amending s. 25.3844, F.S.; renaming the Operating Trust Fund in the state courts system as the Administrative Trust Fund; amending s. 25.386, F.S.; conforming provisions to the renaming of the Operating Trust Fund in the state courts system; amending s. 27.40, F.S.; requiring private court-appointed counsel compensated by the state to maintain records and documents in a prescribed manner; providing for waiver of the right to seek fees in excess of prescribed limits if the attorney refuses to allow the Justice Administrative Commission to review the documentation; providing that the commission's finding of a valid waiver of fees may be overcome by competent and substantial evidence; amending s. 27.425, F.S.; eliminating a requirement for the chief judge of the judicial circuit to recommend and submit compensation rates for state-funded due process service providers; requiring the Justice Administrative Commission to approve forms and procedures governing billings for the provision of due process services; amending s. 27.511, F.S.; providing for the appointment of criminal conflict and civil regional counsel in certain proceedings under the Florida Rules of Criminal Procedure and in certain adoption proceedings; providing for private court-appointed counsel, rather than criminal conflict and civil regional counsel, to have primary responsibility for representing minors in proceedings under the Parental Notice of Abortion Act; amending s. 27.52, F.S.; requiring the clerk of the court to review certain property records in evaluating an application from a criminal defendant for a determination of indigency; providing that the Justice Administrative Commission has standing in a motion seeking to have a person declared indigent for purposes of state payment of due process costs; providing a presumption that a person is not indigent for costs if the person's attorney's fees are being paid from private funds at a specified level; providing that the presumption may be overcome through clear and convincing evidence; providing requirements and rates for reimbursement of due process costs; providing that a person who receives state-funded due process services after being deemed indigent for costs is liable for repayment to the state; requiring the person to submit an accounting to the court of state-paid costs; providing for the court to issue an order determining the amount of the costs; providing for creation and enforcement of a repayment lien; amending s. 27.5304, F.S.; providing for a reduction in the amount paid for an attorney's fees, costs, and related expenses as increased penalties for submitting a bill to the state after prescribed periods; providing a definition; creating s. 27.5305, F.S.; prescribing conditions and requirements related to payment by the state of legal fees and the costs of due process services in certain criminal and civil cases; prescribing conditions and requirements governing electronic funds transfer, transcripts, court reporters and investigators, expert witnesses and mitigation specialists, and discovery; amending s. 28.241, F.S.; providing that the section does not require assessment of a filing fee if the assessment is otherwise prohibited by law; amending s. 28.245, F.S.; decreasing the period allowed clerks of the court for transmission of deposits electronically to the Department of Revenue; amending s. 28.246, F.S.; requiring the clerk to give a copy of an application for appointment of court-appointed counsel to a private attorney or collection agent employed by the clerk to collect moneys from the person; amending s. 28.36, F.S.; revising the core services for the budget requests for the clerks of the court; revising the procedures for the Florida Clerks of Court Operations Corporation to release appropriations each quarter; providing a procedure for the corporation to follow if the projected expenditures will exceed the amount appropriated by law; repealing s. 29.0095, F.S., relating to a requirement for chief judges, state attorneys, and public defenders to submit budget expenditure reports; amending s. 29.0195, F.S.; conforming provisions to the renaming of the Operating Trust Fund in the state courts system; amending s. 34.041, F.S.; specifying that the prescribed filing fee for an action involving claims of not more than $1,000 filed along with an action for replevin is the total filing fee; amending s. 35.22, F.S.; requiring that $50

from the district court of appeals filing fee be deposited into the State Courts Revenue Trust Fund; amending s. 39.0134, F.S.; providing that certain parents in proceedings related to children are liable for fees and costs after receiving legal representation or due process services funded by the state; authorizing the court to make payment of attorney's fees and costs part of a case plan in dependency proceedings; authorizing and providing for enforcement of a lien upon court-ordered payment of fees and costs; providing for deposit of fees and costs into the Indigent Civil Defense Trust Fund; amending s. 39.821, F.S.; requiring certain background screenings for persons certified as a guardian ad litem; amending s. 57.082, F.S.; prescribing circumstances for payment of an application fee when a person seeks to be determined indigent and eligible for appointment of counsel in proceedings relating to children; providing for the court to order payment of the fee and the clerk of the court to pursue collection of the fee; amending s. 68.085, F.S.; providing that Medicaid fraud recoveries by the Attorney General are to be deposited into the Operating Trust Fund rather than in the Legal Affairs Revolving Trust Fund; amending s. 119.0714, F.S.; delaying from January 1, 2011, to January 1, 2012, the obligation of a clerk of court to redact certain confidential information from court files; amending s. 318.18, F.S.; providing that a county may elect among various surcharges on traffic offenses; limiting counties to only one surcharge at a time; amending s. 320.061, F.S.; creating a noncriminal infraction for altering or obscuring a license plate or mobile home sticker; deleting the second-degree misdemeanor penalty imposed for the offense; amending s. 320.131, F.S.; creating a noncriminal traffic infraction for the unlawful use of a temporary tag; deleting the second-degree misdemeanor penalty imposed for the offense; amending s. 322.03, F.S.; creating a noncriminal traffic infraction for a commercial motor vehicle driver who fails to surrender driver's licenses from other jurisdictions before issuance of a license by the Department of Highway Safety and Motor Vehicles; extending the period allowed for operating a motor vehicle after expiration of a driver's license; amending s. 322.16, F.S.; creating a noncriminal traffic infraction for persons who fail to abide by driver's license restrictions other than restrictions recommended by a court or by corrections officials; deleting the second-degree misdemeanor penalty recommended for offenses other than violation of restrictions recommended by a court or by corrections officials; amending s. 775.083, F.S.; redirecting revenues from certain criminal fines from the State Courts Revenue Trust Fund into the General Revenue Fund; amending s. 832.08, F.S.; providing for deposit of bad check diversion program fees into the State Attorneys Revenue Trust Fund; amending s. 938.06, F.S.; requiring the assessment of a court cost after conviction of a criminal offense; defining the term "convicted" for purposes of the assessed cost; amending s. 938.27, F.S.; providing for deposit of certain court costs after criminal convictions into the State Attorneys Revenue Trust Fund rather than the state attorney's grants and donations trust fund; amending s. 938.29, F.S.; specifying that a lien for the cost of court-appointed counsel against a parent for services provided to a child does not expire upon the emancipation of the child or upon the child reaching the age of majority; amending s. 939.08, F.S.; authorizing a designee of the trial court administrator to review, approve, and certify certain bills related to costs, fees, or expenses of the state courts system; amending s. 939.185, F.S.; authorizing the chief judge of the circuit to determine innovations eligible for funding from a county-assessed court cost; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to modify the statewide uniform statute table in its criminal history system; providing an implementation deadline; amending s. 943.053, F.S.; providing for a discounted fee for criminal history record checks for the guardian ad litem program; transferring certain funds from the state court's Operating Trust Fund to the State Courts Revenue Trust Fund and the Administrative Trust Fund within the state courts system; transferring certain unexpended balances in the state attorney's grants and donations trust fund to the State Attorneys Revenue Trust Fund; making a specific appropriation; providing for a transfer of funds to pay the general revenue service charge; providing effective dates.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for HB 5401** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Aronberg	Bullard
Alexander	Baker	Constantine
Altman	Bennett	Crist
Dean	Hill	Ring
Detert	Jones	Siplin
Diaz de la Portilla	Joyner	Smith
Dockery	Justice	Sobel
Fasano	Lawson	Storms
Gaetz	Lynn	Thrasher
Garcia	Negron	Villalobos
Gardiner	Oelrich	Wilson
Gelber	Peaden	Wise
Haridopolos	Rich	

Nays—None

The Honorable Jeff Atwater, 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 5501, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5501

The Honorable Jeff Atwater
President of the Senate

April 30, 2010

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5501, same being:

An act relating to Department of Highway Safety and Motor Vehicles.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Richard "Rich" Glorioso
Chair
s/ Gary Aubuchon, At Large
s/ Jennifer Carroll
Keith Fitzgerald
Joseph A. "Joe" Gibbons

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson

At Large
s/ Mike Horner
s/ Evan Jenne
s/ Dave Murzin
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large
s/ Adam Hasner, At Large
s/ Dorothy L. Hukill
s/ Carlos Lopez-Cantera, At Large
s/ Jimmy Patronis
Hazelle P. "Hazel" Rogers
s/ Robert C. "Rob" Schenck
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5501, relating to the Department of Highway Safety and Motor Vehicles:

- Allows a county or municipality to use traffic infraction detectors on a state road when permitted by the Department of Transportation, contingent on the passage of HB 325 or SB 2166;
- Provides for the use of short-form crash reports under certain circumstances and for those reports be maintained by local law enforcement agencies;
- Provides legislative intent relating to the transition of all driver license issuance services from the Department of Highway Safety and Motor Vehicles (department) to tax collectors;
- Directs the department, in conjunction with the Florida Tax Collectors Association and the Florida Association of Counties, to develop a transition plan to be submitted to the Legislature;
- Provides that county clerks of court and tax collectors may provide driver records and collect the specified fee for those records;
- Requires that certain fees be remitted to the department within a specified time period; and
- Provides an effective date of July 1, 2010.

Conference Committee Amendment (440963)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. If House Bill 325 or Senate Bill 2166, 2010 Regular Session, is adopted in the same legislative session or an extension thereof and becomes law, subsection (7) is added to section 316.008, Florida Statutes, to read:

316.008 Powers of local authorities.—

(7)(a) A county or municipality may use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on streets and highways under its jurisdiction under s. 316.0083. Only a municipality may install or authorize the installation of any such detectors within the incorporated area of the municipality. Only a county may install or authorize the installation of any such detectors within the unincorporated area of the county.

(b) Pursuant to paragraph (a), a municipality may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the incorporated area of the municipality, and a county may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the unincorporated area of the county. A county may authorize installation of any such detectors by interlocal agreement on roads under its jurisdiction.

(c) Pursuant to s. 316.0083, a county or municipality may use traffic infraction detectors to enforce a s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on state roads under the original jurisdiction of the Department of Transportation when permitted by the Department of Transportation.

Section 2. Section 316.066, Florida Statutes, is amended to read:

316.066 Written reports of crashes.—

~~(1) The driver of a vehicle which is in any manner involved in a crash resulting in bodily injury to or death of any person or damage to any vehicle or other property in an apparent amount of at least $500 shall, within 10 days after the crash, forward a written report of such crash to the department or traffic records center. However, when the investigating officer has made a written report of the crash pursuant to subsection (3), no written report need be forwarded to the department or traffic records center by the driver.~~

~~(2) The receiving entity may require any driver of a vehicle involved in a crash of which a written report must be made as provided in this section to file supplemental written reports whenever the original report is insufficient in the opinion of the department and may require witnesses of crashes to render reports to the department.~~

(1)~~(3)~~(a) *A Florida Traffic Crash Report, Long Form is required to be completed and submitted to the department within 10 days after completing an investigation by* every law enforcement officer who in the regular course of duty investigates a motor vehicle crash:

1. *That* ~~Which crash~~ resulted in death or personal injury ~~shall, within 10 days after completing the investigation, forward a written report of the crash to the department or traffic records center~~.

2. *That* ~~Which crash~~ involved a violation of s. 316.061(1) or s. 316.193 ~~shall, within 10 days after completing the investigation, forward a written report of the crash to the department or traffic records center~~.

3. In which ~~crash~~ a vehicle was rendered inoperative to a degree *that* ~~which~~ required a wrecker to remove it from traffic ~~may, within 10 days after completing the investigation, forward a written report of the crash to the department or traffic records center~~ if such action is appropriate, in the officer's discretion.

(b) In every *crash for* ~~case in~~ which a *Florida Traffic* Crash Report*, Long Form* is *not* required by this section ~~and a written report to a law enforcement officer is not prepared~~, the law enforcement officer *may complete a short-form crash report or provide a short-form crash report to be completed by* ~~shall provide~~ each party involved in the crash ~~a short-form report, prescribed by the state, to be completed by the party~~. The short-form report must include:

1. The date, time, and location of the crash.~~;~~

2. A description of the vehicles involved.~~;~~

3. The names and addresses of the parties involved.~~;~~

4. The names and addresses of witnesses.~~;~~

5. The name, badge number, and law enforcement agency of the officer investigating the crash.~~; and~~

6. The names of the insurance companies for the respective parties involved in the crash.

(c) Each party to the crash shall provide the law enforcement officer with proof of insurance to be included in the crash report. If a law enforcement officer submits a report on the accident, proof of insurance must be provided to the officer by each party involved in the crash. Any party who fails to provide the required information *commits a noncriminal traffic* ~~is guilty of an~~ infraction*, punishable as* ~~for~~ a nonmoving violation~~, punishable~~ as provided in chapter 318*,* unless the officer determines that due to injuries or other special circumstances such insurance information cannot be provided immediately. If the person provides the law enforcement agency, within 24 hours after the crash, proof of insurance that was valid at the time of the crash, the law enforcement agency may void the citation.

(d) The driver of a vehicle that was in any manner involved in a crash resulting in damage to any vehicle or other property in an amount of $500 or more, which crash was not investigated by a law enforcement agency, shall, within 10 days after the crash, submit a written report of the crash to the department or traffic records center. The entity receiving the report may require witnesses of crashes to render reports and may require any driver of a vehicle involved in a crash of which a written report must be made as provided in this section to file supplemental written reports whenever the original report is deemed insufficient by the receiving entity.

(e) Short-form crash reports prepared by law enforcement shall be maintained by the law enforcement officer's agency.

(2)~~(4)~~(a) One or more counties may enter into an agreement with the appropriate state agency to be certified by the agency to have a traffic records center for the purpose of tabulating and analyzing countywide traffic crash reports. The agreement must include: certification by the agency that the center has adequate auditing and monitoring mechanisms in place to ensure the quality and accuracy of the data; the time period in which the traffic records center must report crash data to the agency; and the medium in which the traffic records must be submitted to the agency.

(b) In the case of a county or multicounty area that has a certified central traffic records center, a law enforcement agency or driver must submit to the center within the time limit prescribed in this section a written report of the crash. A driver who is required to file a crash report must be notified of the proper place to submit the completed report.

(c) Fees for copies of public records provided by a certified traffic records center shall be charged and collected as follows:

For a crash report $10 per copy.

For a homicide report $25 per copy.

For a uniform traffic citation $0.50 per copy.

The fees collected for copies of the public records provided by a certified traffic records center shall be used to fund the center or otherwise as designated by the county or counties participating in the center.

(3)~~(5)~~(a) Crash reports that reveal the identity, home or employment telephone number or home or employment address of, or other personal information concerning the parties involved in the crash and that are held by any agency that regularly receives or prepares information from or concerning the parties to motor vehicle crashes are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for a period of 60 days after the date the report is filed.

(b) Crash reports held by an agency under paragraph (a) may be made immediately available to the parties involved in the crash, their legal representatives, their licensed insurance agents, their insurers or insurers to which they have applied for coverage, persons under contract with such insurers to provide claims or underwriting information, prosecutorial authorities, victim services programs, radio and television stations licensed by the Federal Communications Commission, newspapers qualified to publish legal notices under ss. 50.011 and 50.031, and free newspapers of general circulation, published once a week or more often, available and of interest to the public generally for the dissemination of news. For the purposes of this section, the following products or publications are not newspapers as referred to in this section: those intended primarily for members of a particular profession or occupational group; those with the primary purpose of distributing advertising; and those with the primary purpose of publishing names and other personal identifying information concerning parties to motor vehicle crashes.

(c) Any local, state, or federal agency that is authorized to have access to crash reports by any provision of law shall be granted such access in the furtherance of the agency's statutory duties.

(d) As a condition precedent to accessing a crash report within 60 days after the date the report is filed, a person must present a valid driver's license or other photographic identification, proof of status, or identification that demonstrates his or her qualifications to access that information, and file a written sworn statement with the state or local agency in possession of the information stating that information from a crash report made confidential and exempt by this section will not be used for any commercial solicitation of accident victims, or knowingly disclosed to any third party for the purpose of such solicitation, during the period of time that the information remains confidential and exempt. In lieu of requiring the written sworn statement, an agency may provide crash reports by electronic means to third-party vendors under contract with one or more insurers, but only when such contract states that information from a crash report made confidential and exempt by this section will not be used for any commercial solicitation of accident victims by the vendors, or knowingly disclosed by the vendors to any third party for the purpose of such solicitation, during the period of time that the information remains confidential and exempt, and only when a copy of such contract is furnished to the agency as proof of the vendor's claimed status.

(e) This subsection does not prevent the dissemination or publication of news to the general public by any legitimate media entitled to access confidential and exempt information pursuant to this section.

(4)~~(6)~~(a) Any driver failing to file the written report required under subsection (1) or subsection (2) commits a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

(b) Any employee of a state or local agency in possession of information made confidential and exempt by this section who knowingly discloses such confidential and exempt information to a person not entitled to access such information under this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any person, knowing that he or she is not entitled to obtain information made confidential and exempt by this section, who obtains or attempts to obtain such information *commits* ~~is guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Any person who knowingly uses confidential and exempt information in violation of a filed written sworn statement or contractual agreement required by this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5)~~(7)~~ Except as specified in this subsection, each crash report made by a person involved in a crash and any statement made by such person to a law enforcement officer for the purpose of completing a crash report required by this section shall be without prejudice to the individual so reporting. No such report or statement shall be used as evidence in any trial, civil or criminal. However, subject to the applicable rules of evidence, a law enforcement officer at a criminal trial may testify as to any statement made to the officer by the person involved in the crash if that person's privilege against self-incrimination is not violated. The results of breath, urine, and blood tests administered as provided in s. 316.1932 or s. 316.1933 are not confidential and shall be admissible into evidence in accordance with the provisions of s. 316.1934(2). Crash reports made by persons involved in crashes shall not be used for commercial solicitation purposes; however, the use of a crash report for purposes of publication in a newspaper or other news periodical or a radio or television broadcast shall not be construed as "commercial purpose."

(6)~~(8)~~ A law enforcement officer, as defined in s. 943.10(1), may enforce this section.

Section 3. Subsections (1) and (5) of section 322.02, Florida Statutes, are amended to read:

322.02 Legislative intent; administration.—

(1) The Legislature finds that over the past several years the department and individual county tax collectors have entered into contracts for the delivery of full and limited driver license services where such contractual relationships best served the public interest through state administration and enforcement and local government implementation. It is the intent of the Legislature that *the complete transition of all driver license issuance services to tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution be completed no later than June 30, 2015. The transition of services to appointed charter county tax collectors may occur on a limited basis as directed by the department* ~~future interests and processes for developing and expanding the department's relationship with tax collectors through contractual relationships for the delivery of driver license services be achieved through the provisions of this chapter, thereby serving best the public interest considering accountability, cost-effectiveness, efficiency, responsiveness, and high-quality service to the drivers in Florida~~.

(5) The tax collector in and for his or her county may be designated the exclusive agent of the department to implement and administer the provisions of this chapter as provided by s. 322.135~~(5)~~.

Section 4. Section 322.135, Florida Statutes, is amended to read:

322.135 Driver's license agents.—

(1) The department *shall* ~~may~~, upon application, authorize any or all of the tax collectors in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified driver's license services.

(a) These services shall be limited to the issuance of driver's licenses and identification cards as authorized by this chapter.

(b) Each tax collector who is authorized by the department to provide driver's license services shall bear all costs associated with providing those services.

(c) A service fee of $6.25 shall be charged, in addition to the fees set forth in this chapter, for providing all services pursuant to this chapter. The service fee may not be charged:

1. More than once per customer during a single visit to a tax collector's office.

2. For a reexamination requested by the Medical Advisory Board or required pursuant to s. 322.221.

3. For a voter registration transaction.

~~4. For changes in an organ donation registration.~~

4.~~5.~~ In violation of any federal or state law.

(2) Each tax collector is required to give a good and sufficient surety bond, payable to the department, conditioned upon his or her faithfully and truly performing the duties imposed upon him or her according to the requirements of law and the rules of the department and upon his or her accounting for all materials, records, and other property and money that come into his or her possession or control by reason of performing these duties.

(a) The amount of the bond must be determined by the department as an amount not less than 10 percent above the average of the daily deposits of each tax collector.

(b) If a tax collector is also an agent of the department for purposes of s. 320.03, the amount of the bond must be at least 10 percent above the average of the total daily deposits of all funds received by the tax collector on behalf of the department.

(c) Notwithstanding the provisions of s. 320.03, only one bond is required in order for a tax collector to serve as an agent of the department under chapters 320 and 322.

(3) Each tax collector shall keep a full and complete record of all materials, records, and other properties received by him or her from the department, or from any other source, and shall make prompt remittance of moneys collected by him or her at such times and in such manner as prescribed by law, in accordance with departmental rules.

(4) A tax collector may not issue or renew a driver's license if he or she has any reason to believe that the licensee or prospective licensee is physically or mentally unqualified to operate a motor vehicle. The tax collector may direct any such licensee to the department for examination or reexamination under s. 322.221.

(5) *The department, in conjunction with the Florida Tax Collectors Association and the Florida Association of Counties, shall develop a plan to transition all driver's license issuance services to the county tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution. The transition plan must be submitted to the President of the Senate and the Speaker of the House of Representatives on or before February 1, 2011. The transition plan must include a timeline to complete the full transition of all driver's license issuance services no later than June 30, 2015, and may include, but is not limited to, recommendations on the use of regional service centers, interlocal agreements, and equipment.* ~~The county tax collector at his or her option may apply to the department for approval by the executive director to be the exclusive agent of the department for his or her county to administer driver license services as provided and authorized in this chapter.~~

~~(a) The application by the county tax collector shall be in writing to the executive director of the department. The application must be submitted by September 1 to be effective for the state's subsequent fiscal year beginning July 1.~~

~~(b) The department shall provide a form for such application, which shall include the following information:~~

~~1. Locations within the county where offices and branch offices for driver license services are proposed.~~

~~2. The designation by the tax collector of the driver license functions to be performed by the tax collector in the county.~~

~~3. Any anticipated capital acquisition or construction costs.~~

~~4. A projection of equipment available or to be provided by the department.~~

~~5. All anticipated operating costs, including facilities, equipment, and personnel to administer driver license services.~~

~~(c) The department shall review applications on or before September 1 of each year. The department shall compare the costs included in the information submitted in the application with the related costs incurred by the department to accomplish the same level of services. The department shall approve or deny an application within 60 calendar days after the application is received unless the department and the applicant agree mutually to a specific alternative date.~~

~~(d) The department may provide technical assistance to an applicant upon request.~~

~~(6) Administration of driver license services by a county tax collector as the exclusive agent of the department must be revenue neutral with no adverse state fiscal impact and with no adverse unfunded mandate to the tax collector.~~

~~(7) Upon approval by the department for a tax collector to provide exclusive driver license services in a county, the department and the applicable tax collector shall develop a transition plan for the orderly transfer of service responsibilities to the tax collector. This plan shall include, but is not limited to:~~

~~(a) The specifics of any possible use of any state-owned or leased facilities giving consideration to lease expiration date, cancellation provisions, and possibilities for sublease of such facilities.~~

~~(b) Consideration of staffing needs of the tax collector, either the assumption by the collector or departmental relocation of employees adversely affected.~~

~~(c) The execution of a standard agreement between the department and the tax collector for providing driver license services.~~

~~(8) The county tax collector, as the exclusive agent of the Department of Highway Safety and Motor Vehicles, shall be paid fees for driver license services.~~

(6)~~(9)~~ Notwithstanding chapter 116, each county officer within this state who is authorized to collect funds provided for in this chapter shall pay all sums officially received by the officer into the State Treasury no later than 5 working days after the close of the business day in which the officer received the funds. Payment by county officers to the state shall be made by means of electronic funds transfers.

Section 5. Subsection (11) of section 322.20, Florida Statutes, is amended to read:

322.20 Records of the department; fees; destruction of records.—

(11)(a) The department may charge the following fees for the following services and documents:

1. For providing a transcript of any one individual's driver history record or any portion thereof for the past 3 years ~~or for searching for such record when no record is found on file~~ $8

2. For providing a transcript of any one individual's driver history record or any portion thereof for the past 7 years ~~or for searching for such record when no record is found on file~~ $10

3. For providing a certified copy of a transcript of the driver history record or any portion thereof for any one individual $10

4. For providing a certified photographic copy of a document, per page $1

5. For providing an exemplified record $15

6. For providing photocopies of documents, papers, letters, clearances, or license or insurance status reports, per page $0.50

7. For assisting persons in searching any one individual's driver record at a terminal located at the department's general headquarters in Tallahassee $2

8. For searching for any one individual's driver history record when no record is found on file $2

9. For electronically searching for any one individual's driver history record to determine if the record meets requested criteria $0.01

(b) The department shall furnish such information without charge to any local, state, or federal law enforcement agency or court upon proof satisfactory to the department as to the purpose of the investigation.

(c) The clerks of court and tax collectors authorized under s. 322.135, may provide 3-year, 7-year, or complete driver records to any person requesting such records upon payment of the appropriate fees. In addition to the fees authorized under paragraph (a), clerks of court and tax collectors may assess the fee listed in s. 322.135(1)(c) for this service. The applicable record fees listed in paragraph (a) must be remitted to the department no later than 5 days after payment is received, unless a shorter remittance period is required by law.

Section 6. Subsection (2) of section 322.2615, Florida Statutes, is amended to read:

322.2615 Suspension of license; right to review.—

(2) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after issuing the notice of suspension, the driver's license; an affidavit stating the officer's grounds for belief that the person was driving or in actual physical control of a motor vehicle while under the influence of alcoholic beverages or chemical or controlled substances; the results of any breath or blood test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person refused to submit; the officer's description of the person's field sobriety test, if any; the notice of suspension; and a copy of the crash report, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection and in subsection (1) does not affect the department's ability to consider any evidence submitted at or prior to the hearing. The officer may also submit a copy of a videotape of the field sobriety test or the attempt to administer such test. Materials submitted to the department by a law enforcement agency or correctional agency shall be considered self-authenticating and shall be in the record for consideration by the hearing officer. Notwithstanding s. 316.066*(5)*~~(7)~~, the crash report shall be considered by the hearing officer.

Section 7. Paragraph (a) of subsection (1) of section 324.051, Florida Statutes, is amended to read:

324.051 Reports of crashes; suspensions of licenses and registrations.—

(1)(a) Every law enforcement officer who, in the regular course of duty either at the time of and at the scene of the crash or thereafter by interviewing participants or witnesses, investigates a motor vehicle crash which he or she is required to report pursuant to s. 316.066*(1)*~~(3)~~ shall forward a written report of the crash to the department within 10 days of completing the investigation. However, when the investigation of a crash will take more than 10 days to complete, a preliminary copy of the crash report shall be forwarded to the department within 10 days *after* ~~of~~ the occurrence of the crash, to be followed by a final report within 10 days after completion of the investigation. The report shall be on a form and contain information consistent with the requirements of s. 316.068.

Section 8. Paragraph (c) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066*(4)*~~(6)~~(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
379.2431(1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
379.2431(1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
400.9935(4)	3rd	Operating a clinic without a license or filing false license application or other required information.
440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.

624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than $20,000.
626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
796.05(1)	3rd	Live on earnings of a prostitute.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014(2)(c)2.	3rd	Grand theft; $5,000 or more but less than $10,000.
812.0145(2)(c)	3rd	Theft from person 65 years of age or older; $300 or more but less than $10,000.
815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than $20,000.
817.233	3rd	Burning to defraud insurer.
817.234(8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
817.234(11)(a)	3rd	Insurance fraud; property value less than $20,000.
817.236	3rd	Filing a false motor vehicle insurance application.
817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
817.413(2)	3rd	Sale of used goods as new.
817.505(4)	3rd	Patient brokering.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
860.15(3)	3rd	Overcharging for repairs and parts.
870.01(2)	3rd	Riot; inciting or encouraging.
893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
944.47(1)(a)1.-2.	3rd	Introduce contraband to correctional facility.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).

Section 9. This act shall take effect July 1, 2010.

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 Highway Safety and Motor Vehicles; amending s. 316.008, F.S.; authorizing a county or municipality to use traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic control device; providing that a county or municipality may install such detectors or authorize installation of such detectors by contract or interlocal agreement; restricting such installation and use by a county to unincorporated areas of the county and installation and use by a municipality to the incorporated area of the municipality; providing for such installation and use on state roads under the jurisdiction of the Department of Transportation; providing for contingent effect; amending s. 316.066, F.S.; revising provisions for motor vehicle crash reports; providing for short-form crash reports to be completed under certain circumstances and maintained by the local law enforcement agency; authorizing law enforcement agencies to request supplemental reports from drivers and written reports from witnesses under certain circumstances; amending s. 322.02, F.S.; revising legislative intent relating to delivery of driver's license services by tax collectors; providing that it is the intent of the Legislature to transition all driver license issuance services from the Department of Highway Safety and Motor Vehicles to tax collectors; conforming a cross-reference; amending s. 322.135, F.S.; requiring the department to authorize any or all of the tax collectors in the several counties of the state to serve as its agent for the provision of specified driver's license services; removing an exemption from a fee charged by such agents; directing the department, in conjunction with the Florida Tax Collectors Association and the Florida Association of Counties, to develop a plan to transition all driver's license issuance services to county tax collectors; requiring the plan to be submitted to the Legislature; removing procedures for approval of tax collectors as agents upon application by the tax collector; amending s. 322.20, F.S.; providing for county clerks of court and tax collectors to provide 3-year, 7-year, or complete driver records to any person upon collection of specified fees; requiring certain fees collected to be remitted to the department within a certain time period; amending ss. 322.2615, 324.051, 921.0022, F.S.; conforming cross-references; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5501** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Rich
Aronberg	Gardiner	Ring
Baker	Gelber	Siplin
Bennett	Haridopolos	Smith
Bullard	Hill	Sobel
Constantine	Jones	Storms
Crist	Joyner	Thrasher
Dean	Justice	Villalobos
Detert	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	

Nays—None

The Honorable Jeff Atwater, 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 5505, as amended by the Conference Committee Report.

Robert L. "Bob" Ward, Clerk

CONFERENCE COMMITTEE REPORT ON HB 5505

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

The Honorable Jeff Atwater April 30, 2010
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5505, same being:

An act relating to supplemental corporate fee.

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 Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ JD Alexander
Chair
s/ Thad Altman, At Large
s/ Carey Baker
s/ Larcenia J. Bullard
s/ Lee Constantine
s/ Charles S. "Charlie" Dean, Sr.
s/ Alex Diaz de la Portilla
s/ Mike Fasano
s/ Rudy Garcia
Dan Gelber
s/ Dennis L. Jones, D.C.
s/ Charlie Justice, At Large
s/ Evelyn J. Lynn
s/ Steve Oelrich
s/ Nan H. Rich
s/ Jeremy Ring, At Large
s/ Christopher L. "Chris" Smith
s/ Ronda Storms, At Large
s/ J. Alex Villalobos
s/ Stephen R. Wise

s/ Mike Haridopolos
Vice Chair
s/ Dave Aronberg
s/ Michael S. "Mike" Bennett
At Large
s/ Victor D. Crist
s/ Nancy C. Detert
Paula Dockery
s/ Don Gaetz
s/ Andy Gardiner
s/ Anthony C. "Tony" Hill, Sr.
s/ Arthenia L. Joyner
s/ Alfred "Al" Lawson, Jr.
s/ Joe Negron
s/ Durell Peaden, Jr.
s/ Garrett S. Richter
s/ Gary Siplin
s/ Eleanor Sobel
s/ John Thrasher
s/ Frederica S. Wilson

Managers on the part of the Senate

s/ Richard "Rich" Glorioso
Chair
s/ Gary Aubuchon, At Large
s/ Jennifer Carroll
Keith Fitzgerald
Joseph A. "Joe" Gibbons
At Large
s/ Mike Horner
Evan Jenne
s/ Dave Murzin
s/ Ron Reagan, At Large
Franklin Sands, At Large
Geraldine F. "Geri" Thompson
At Large

s/ David Rivera
Council Chair
s/ Ellyn Setnor Bogdanoff
At Large
s/ Bill Galvano, At Large
s/ Audrey Gibson
s/ Adam Hasner, At Large
s/ Dorothy L. Hukill
s/ Carlos Lopez-Cantera, At Large
s/ Jimmy Patronis
Hazelle P. "Hazel" Rogers
s/ Robert C. "Rob" Schenck
Perry E. Thurston, Jr., At Large
s/ Will W. Weatherford, At Large

Managers on the part of the House

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5505, relating to supplemental corporate fees, provides for the following:

- The amendment amends section 607.193, F.S., to remove a provision that requires the Department of State to waive a $400 late fee that would be assessed a business entity (corporations, limited liability companies, and limited partnerships) for filing its annual report and paying its annual fees after the May 1 deadline. The waiver is currently granted if the business entity claims that it did not receive a filing notice from DOS.

- The amendment clarifies that the late fee is waived if a business entity is administratively dissolved or has its authority revoked

because of a failure to file and subsequently files for reinstatement and pays the reinstatement fee.

- As in current law, fees collected are deposited into the General Revenue Fund. On March 15, 2010, the Revenue Estimating Conference adopted the consensus estimate of $16.4 million cash increase to the General Revenue Fund in Fiscal Year 2010-11 with an annualized increase of $8.8 million.

- The amendment has an effective date of July 1, 2010.

Conference Committee Amendment 1 (152554)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2) of section 607.193, Florida Statutes, is amended to read:

607.193 Supplemental corporate fee.—

(2)

(b) In addition to the fees levied under ss. 607.0122, 608.452, and 620.1109 and the supplemental corporate fee, a late charge of $400 shall be imposed if the supplemental corporate fee is remitted after May 1 except in circumstances in which a business entity *was administratively dissolved or its certificate of authority was revoked due to its failure to file an annual report and the entity subsequently applied for reinstatement and paid the applicable reinstatement fee* ~~did not receive the uniform business report prescribed by the department~~.

Section 2. 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 supplemental corporate fees; amending s. 607.193, F.S.; revising an exception from the imposition of a late charge upon certain business entities remitting the supplemental corporate fee after a specified deadline; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5505** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fasano	Negron
Altman	Gaetz	Oelrich
Aronberg	Garcia	Peaden
Baker	Gardiner	Rich
Bennett	Gelber	Ring
Bullard	Haridopolos	Smith
Constantine	Hill	Storms
Crist	Jones	Thrasher
Dean	Joyner	Villalobos
Detert	Justice	Wilson
Diaz de la Portilla	Lawson	Wise
Dockery	Lynn	

Nays—None

THE PRESIDENT PRESIDING

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **SB 12** which he approved on April 30, 2010.

EXECUTIVE BUSINESS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 10-95
(Executive Order of Suspension)

WHEREAS, Mildred Fernandez is presently serving as a member of the Orange County Commission, District 3; and

WHEREAS, on April 27, 2010, The Florida Department of Law Enforcement arrested Mildred Fernandez, based on probable cause that she committed bribery, grand theft, and accepting cash compaign contributions in excess of $50, in violation of Sections 838.015, 812.014(2)(c), and 106.09(2)(b), Florida Statues; and

WHEREAS, a violation of Section 838.015, Florida Statutes, constitutes a felony of the second degree; a violation of 812.014(2)(c), Florida Statutes, constitutes a felony of the third degree; and a violation of Section 106.09(2)(b), Florida Statues, constitutes a felony of the third degree; and

WHEREAS, Article IV, Section 7, of the Florida Constitution provides that the Governor may suspend from office any county officer for "malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony;" and

WHEREAS, it is in the best interests of the residents of Orange County, and the citizens of the State of Florida, that Mildred Fernandez be immediately suspended from the public office which she now holds, upon the grounds set forth in this executive order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, find as follows:

A. Mildred Fernandez is, and at all times material was, a member of the Orange County Commission, District 3.

B. The office of Orange County Commission is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached probable cause affidavit alleges that Mildred Fernandez committed felonies in violation of the laws of Florida, which acts also constitue malfeasance. This suspension is predicated upon the attached probable cause affidavit which alleges the commission of felonies and is incorportated as if fully set forth in this executive order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Mildred Fernandez is suspended from the public office, which she now holds, to wit: member of the Orange County Commission, District 3.

Section 2. Mildred Fernandez is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 27th day of April, 2010.
Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

Mr. R. Philip Twogood April 30, 2010
Secretary of the Florida Senate

Dear Mr. Secretary:

Please be advised that the following executive appointments were not acted on by the full Senate upon adjournment of the 2010 Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Florida Building Code Administrators and Inspectors Board		
Appointee:	Lamas, Orlando	10/31/2009
State of Florida Correctional Medical Authority		
Appointee:	Littles, Alma B.	09/30/2009
Education Practices Commission		
Appointee:	King, Norma C.	08/17/2012
Board of Professional Engineers		
Appointee:	Halyard, Paul J.	10/31/2009
Florida Commission on Human Relations		
Appointee:	Gamero, Lizzette	09/30/2009
Board of Landscape Architecture		
Appointees:	Graham, Philip H., Jr.	10/31/2009
	Marshall-Beasley, Elizabeth	10/31/2009
Governor's Mansion Commission		
Appointees:	Aurell, Jane C.	09/30/2009
	Graham, Adele K.	09/30/2009
Gulf States Marine Fisheries Commission		
Appointee:	Dempsey, Hayden R.	01/05/2010
Board of Nursing		
Appointee:	Newman, Jody Bryant	10/31/2009
Board of Nursing Home Administrators		
Appointee:	Wishna, Harold	10/31/2009
Board of Physical Therapy Practice		
Appointee:	Baker, Karen S.	10/31/2009
Pilotage Rate Review Board		
Appointee:	Johnson, Clarence T., Jr.	10/31/2009
North Central Florida Regional Planning Council, Region 3		
Appointee:	Maultsby, Charles T.	10/01/2009
Northeast Florida Regional Planning Council, Region 4		
Appointees:	Larson, Charles Wesley II	10/01/2009
	Register, Darryl E.	10/01/2009
Withlacoochee Regional Planning Council, Region 5		
Appointee:	Murray, Edward W.	10/01/2009
East Central Florida Regional Planning Council, Region 6		
Appointees:	Chase, Melanie F.	10/01/2009
	Colon, Jackie	10/01/2011
	Melendez, Julius A.	10/01/2009
Tampa Bay Regional Planning Council, Region 8		
Appointees:	Woodard, Laura D.	10/01/2009
	Young, Earl H.	10/01/2009
Southwest Florida Regional Planning Council, Region 9		
Appointee:	Elkowitz, Edward B.	10/01/2009
Treasure Coast Regional Planning Council, Region 10		
Appointee:	Carney, Peter H.	10/01/2009
South Florida Regional Planning Council, Region 11		
Appointee:	Wallace, Paul R.	10/01/2009
Board of Respiratory Care		
Appointee:	DeJesus, William	10/31/2009
Board of Professional Surveyors and Mappers		
Appointee:	Poppell, Frances C.	10/31/2009
Big Cypress Basin Board of the South Florida Water Management District		
Appointee:	Priddy, Aliese P.	03/01/2010
Alafia River Basin Board of the Southwest Florida Water Management District		
Appointee:	Bissonnette, Stephen J.	03/01/2010
Manasota Basin Board of the Southwest Florida Water Management District		
Appointee:	McCoy, Michael P.	03/01/2010

The following executive appointment was referred to the Senate Committee on Commerce 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 Commerce and the Senate Committee on Ethics and Elections did not consider the appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Florida Commission on Tourism		
Appointee:	Gonzmart, Richard	06/30/2012

The following executive appointment was referred to the Senate Committee on Commerce 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 Commerce and the Senate Committee on Ethics and Elections did not consider the appointment because the term of the appointee has expired:

Office and Appointment		*For Term Ending*
Florida Commission on Tourism		
Appointee:	Perez, John J.	06/30/2009

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities 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 Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections did not consider the following appointments because the terms of the following appointees have expired:

Office and Appointment		*For Term Ending*
Florida Energy and Climate Commission		
Appointee:	Gladding, Nicholas C.	09/30/2009
Florida Public Service Commission		
Appointee:	Klement, David E.	01/01/2010

The following executive appointment was referred to the Senate Committee on Education Pre-K - 12 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 Pre-K - 12 and the Senate Committee on Ethics and Elections did not consider the following appointment because the term of the appointee has expired.

Office and Appointment		*For Term Ending*
State Board of Education		
Appointee:	Boulware, Peter	12/31/2009

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation 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 Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections did not consider the following executive appointment because the term of the appointee has expired.

Office and Appointment		*For Term Ending*
Environmental Regulation Commission		
Appointee:	Glasco-Foderingham, Rhoda	07/01/2009

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation 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 Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections did not consider the following executive appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Environmental Regulation Commission		
Appointee:	Parks, Paul C.	07/01/2011

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation 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 Environmental Preservation and Conservation considered and recommended the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointment because the appointee resigned:

Office and Appointment		*For Term Ending*
Environmental Regulation Commission		
Appointee:	Miklos, John	07/01/2011

The following executive appointments were referred to the Senate Committee on Higher 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 Higher Education and the Senate Committee on Ethics and Elections did not consider the following appointments because the terms of the appointees have expired:

Office and Appointment		*For Term Ending*
Board of Trustees, Florida Atlantic University		
Appointee:	Barbar, Anthony K.G.	01/06/2010
Board of Trustees, New College of Florida		
Appointee:	Ruiz, Mary	01/06/2010

The Senate Committee on Ethics and Elections did not consider the following appointments because the terms of the appointees expired:

Orlando Lamas; Alma B. Littles; Paul J. Halyard; Lizzette Gamero; Philip H. Graham, Jr.; Elizabeth Marshall-Beasley; Jane C. Aurell; Adele K. Graham; Hayden R. Dempsey; Jody Bryant Newman; Harold Wishna; Karen S. Baker; Clarence T. Johnson, Jr.; Charles T. Maultsby; Charles Wesley Larson, II; Darryl E. Register; Edward W. Murray; Melanie F. Chase; Julius A. Melendez; Laura D. Woodard; Earl H. Young; Edward B. Elkowitz; Peter H. Carney; Paul R. Wallace; William DeJesus; Frances C. Poppell; Aliese P. Priddy; Stephen J. Bissonette; Michael P. McCoy; John J. Perez; Nicholas C. Gladding; David E. Klement; Peter Boulware; Rhoda Glasco-Foderingham; Anthony K.G. Barbar; Mary Ruiz

The Senate Committee on Ethics and Elections did not consider the following appointments because the appointees resigned:

Norma C. King; Jackie Colon; Richard Gonzmart; John Miklos; Paul C. Parks

Respectfully submitted,
JD Alexander, Chair

Mr. R. Philip Twogood April 30, 2010
Secretary of the Florida Senate

Dear Mr. 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. 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 2010 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Trustees of Brevard Community College		
Appointee:	Sibley, Dedra S.	05/31/2011
Board of Trustees of Polk State College		
Appointee:	Ivell, Linda D.	05/31/2013
Construction Industry Licensing Board		
Appointee:	Malphus, Wilbert	10/31/2010
Florida Development Finance Corporation		
Appointee:	Jones, William C.	05/02/2012
Board of Nursing Home Administrators		
Appointee:	Lynch, Marcella	10/31/2011
Board of Orthotists and Prosthetists		
Appointee:	Golzbein, Lisa	10/31/2012
Treasure Coast Regional Planning Council, Region 10		
Appointee:	Oujevolk, Richard M.	10/01/2010
State Retirement Commission		
Appointee:	Halperin, Patrick J.	12/31/2011

The following executive appointment was 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 executive appointment. However, the appointee was left pending upon adjournment of the 2010 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Trustees of Daytona State College		
Appointee:	Bennett, Mary G.	05/31/2013

The following executive appointment was referred to the Senate Committee on Commerce 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 Commerce and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending upon adjournment of the 2010 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Florida Commission on Tourism		
Appointee:	Banks, Walter L.	06/30/2012

The following executive appointment was referred to the Senate Committee on Higher 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 Higher Education considered and recommended the appointee. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending upon adjournment of the 2010 Regular Session of the Florida Legislature:

Office and Appointment		*For Term Ending*
Board of Trustees, Florida A & M University		
Appointee:	Shannon, Belinda R.	01/06/2011

The following executive appointment was referred to the Senate Committee on Higher 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 Higher Education considered and recommended the appointee. The Senate Committee on Ethics and Elections did not consider the following appointment. The Senate Committee on Ethics and Elections brought forward a report relating to the executive appointment of the following appointee during the 2010 Regular Session of the Florida Legislature. Upon proper motion, consideration of the appointee was deferred and the appointment was not

acted on by the Senate upon adjournment of the 2010 Regular Session of the Florida Legislature.

Office and Appointment		*For Term Ending*
Board of Trustees, University of North Florida		
Appointee:	Abdullah, Edythe M.	01/06/2015

Respectfully submitted,
JD Alexander, Chair

Mr. R. Philip Twogood April 30, 2010
Secretary of the Florida Senate

Dear Mr. Secretary:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2010 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*
Florida Building Code Administrators and Inspectors Board		
Appointee:	Carpenter, Dennis J.	11/01/2009
Regulartory Council of Community Association Managers		
Appointee:	Rogers, Margaret	05/20/2009
Board of Trustees of State College of Florida, Manatee-Sarasota		
Appointee:	Lumpkin, Kelvin L.	05/20/2009
Florida Development Finance Corporation		
Appointee:	DiBello, Frank	08/06/2009
Council on Efficient Government		
Appointees:	Evans, Steven L.	02/11/2010
	Yandell, Timothy S.	05/20/2009

Respectfully submitted,
JD Alexander, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 173, CS for HB 467, CS for HB 729, HB 1301, CS for CS for HB 1385, HB 1401; has passed as amended CS for HB 7129 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Economic Development Policy Committee and Representative(s) Poppell, Hooper, McKeel, Tobia—

CS for HB 173—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; deleting a requirement that a certain penalty is mandatory and not waivable by the Department of Revenue; deleting authorization to return certain aircraft to the state for repairs without liability for taxes and penalty under certain circumstances; amending s. 212.08, F.S.; exempting from the use tax aircraft owned by nonresidents and entering and remaining in the state for certain purposes under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; and the Policy and Steering Committee on Ways and Means.

By PreK-12 Policy Committee and Representative(s) Jones, Abruzzo, Brandenburg, Clarke-Reed, Culp, Jenne, Long, O'Toole, Pafford, Rader, Skidmore, Soto, Stargel, Steinberg, Thompson, G.—

CS for HB 467—A bill to be entitled An act relating to public K-12 education; amending s. 1003.42, F.S.; providing that comprehensive health education taught in the public schools shall include a component on teen dating violence and abuse for students in grades 7 through 12; creating s. 1006.148, F.S.; requiring district school boards to adopt and implement a dating violence and abuse policy; providing policy requirements; requiring the Department of Education to develop a model policy; requiring school personnel training; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Health Care Regulation Policy Committee and Representative(s) Brandenburg—

CS for HB 729—A bill to be entitled An act relating to the practice of tattooing; creating s. 381.00771, F.S.; defining terms; creating s. 381.00773, F.S.; exempting certain personnel who perform tattooing for medical or dental purposes from regulation under specified provisions; creating s. 381.00775, F.S.; prohibiting the practice of tattooing except by a person licensed or registered by the Department of Health; requiring tattoo artists to complete a department-approved education course and pass an examination; providing for the licensure of tattoo artists and the registration of guest tattoo artists licensed in jurisdictions outside this state; creating s. 381.00777, F.S.; requiring the licensure of permanent tattoo establishments and temporary establishments; creating s. 381.00779, F.S.; providing practice requirements for tattoo artists, guest tattoo artists, tattoo establishments, and temporary establishments; requiring the department to inspect the establishments at specified intervals; creating s. 381.00781, F.S.; providing for fees for initial licensure or registration and the renewal or reactivation thereof; authorizing the adjustment of fees according to inflation or deflation; creating s. 381.00783, F.S.; specifying acts that constitute grounds for which the department may take disciplinary action; providing penalties; creating s. 381.00785, F.S.; providing penalties for certain violations involving the practice of tattooing; transferring, renumbering, and amending s. 877.04, F.S.; prohibiting the tattooing of a minor child except under certain circumstances; providing penalties; providing exceptions; creating s. 381.00789, F.S.; requiring the department to adopt rules to administer the act; creating s. 381.00791, F.S.; providing that specified provisions do not preempt certain local laws and ordinances; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Governmental Oversight and Accountability; Finance and Tax; and Health and Human Services Appropriations.

By Representative(s) Rader, Ambler—

HB 1301—A bill to be entitled An act relating to violations of county ordinances; amending s. 125.69, F.S.; authorizing a county to specify by ordinance penalties for a violation of certain county ordinances; providing an effective date.

—was referred to the Committees on Community Affairs; Ethics and Elections; and Criminal Justice.

By General Government Policy Council, Natural Resources Appropriations Committee and Representative(s) Poppell—

CS for CS for HB 1385—A bill to be entitled An act relating to petroleum contamination site cleanup; amending s. 376.3071, F.S.; revising provisions relating to petroleum contamination site selection and cleanup criteria; deleting obsolete provisions relating to funding for limited interim soil-source removals; requiring the Department of Environmental Protection to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; providing for natural attenuation and active remediation of sites; requiring the department to evaluate certain costs and strategies; prohibiting local governments from denying building permits under specified conditions; providing requirements for such

permits and related construction, repairs, and renovations; establishing a low-scored site initiative; providing conditions for participation; requiring the department to issue certain determinations and orders; providing that certain sites are eligible for payment of preapproved costs; requiring assessment work to be completed within a certain timeframe; providing payment and funding limitations; deleting provisions relating to nonreimbursable voluntary cleanup; requiring the installation of fuel tank upgrades to secondary containment systems to be completed by specified deadlines; providing an exception; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Transportation; and Community Affairs.

By Representative(s) Rivera—

HB 1401—A bill to be entitled An act relating to the export of goods, commodities, and things of value to foreign countries; defining the term "state agency;" prohibiting state agencies from issuing certain forms of documentation for any good, commodity, or thing of value to be exported to certain foreign countries; providing an effective date.

—was referred to the Committees on Commerce; Governmental Oversight and Accountability; and General Government Appropriations.

By Economic Development & Community Affairs Policy Council, Military & Local Affairs Policy Committee and Representative(s) Hukill, Murzin, Drake, Gaetz—

CS for HB 7129—A bill to be entitled An act relating to military support; amending s. 163.3175, F.S.; providing applicability of provisions governing compatibility of land development with military installations under the Local Government Comprehensive Planning and Land Development Regulation Act to specified local governments and associated military installations; authorizing the Florida Council on Military Base and Mission Support to recommend changes to such military installations and local governments based on a base's potential for impacts from encroachment and incompatible land uses and development; requiring affected local governments to transmit to the commanding officer of a military installation information relating to certain proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations; requiring local governments to transmit, at the request of a commanding officer, copies of applications for development orders requesting specified variances or waivers within a zone of influence of a military installation; requiring a local government, military installation, the state land planning agency, and other parties to enter into mediation if a local government does not adopt criteria and address compatibility issues relating to lands adjacent to or closely proximate to existing military installations in its future land use plan element of a comprehensive plan by a specified date; authorizing notification of the Administration Commission if the local government comprehensive plan does not contain criteria addressing compatibility by a specified date; authorizing the imposition of sanctions by the Administration Commission; eliminating definitions; amending s. 163.3177, F.S.; specifying factors to be considered with respect to criteria used to achieve compatibility of lands adjacent to military installations in a future land use plan element of a comprehensive plan; amending s. 196.061, F.S.; providing that valid military orders transferring a military servicemember are sufficient to maintain permanent residence status of the servicemember and his or her spouse for purposes of such determination by a property appraiser; amending s. 455.02, F.S.; authorizing temporary professional licensure by the Department of Business and Professional Regulation of the spouses of certain active duty members of the Armed Forces; providing application requirements; requiring criminal history checks and fees; amending s. 250.10, F.S.; authorizing the Adjutant General to employ a second Assistant Adjutant General for Army; revising accreditation standards for educational institutions with respect to the Educational Dollars for Duty education assistance program; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Commerce; and the Policy and Steering Committee on Ways and Means.

RETURNING MESSAGES — FINAL ACTION

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment(s) and passed CS for CS for SB 2044 and CS for CS for SB 2176 as further amended; concurred in Senate Amendments 1 and 2 to House Amendment 1 and passed CS for SB 1752 as further amended; accepted the Conference Committee Reports in their entirety and passed CS for CS for SB 1484, CS for SB 1510, CS for SB 1514, CS for CS for SB 1516, CS for SB 2020, CS for SB 2024, CS for SB 2374 and CS for SB 2386 as amended by the Conference Committee Reports.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed CS for HB 569 as amended; concurred in Senate Amendments 2 and 3 and passed CS for CS for CS for HB 631 as amended; concurred in Senate Amendment 1 and passed CS for HB 731 as amended; concurred in Senate Amendment 1 and passed CS for HB 907 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 1073 as amended; concurred in Senate Amendments 2, 3, 4, and 6 and passed CS for CS for CS for HB 1143 as amended; concurred in Senate Amendment 1 and passed HB 1193 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 1411 as amended; concurred in Senate Amendment 1 and passed CS for HB 1505 as amended; concurred in Senate Amendment 1 and passed CS for HB 7069 as amended; and concurred in Senate Amendment 1 and passed HB 7243 as amended; accepted the Conference Committee Reports in their entirety and passed HB 5001, HB 5003, CS for HB 5101, HB 5201, HB 5301, HB 5303, HB 5305, HB 5307, HB 5309, HB 5311, CS for HB 5401, HB 5501, HB 5505, HB 5603, HB 5607, CS for HB 5611, HB 5705 and CS for HB 5801 as amended by the Conference Committee Reports.

Robert L. "Bob" Ward, Clerk

VOTES RECORDED

Senator Gaetz was recorded as voting "nay" on the confirmation of Charles "Sonny" F. Mares to the Florida Commission on Tourism for a term ending June 30, 2012 which was considered in the Executive Business, Appointment Reports on April 27.

Senator Rich was recorded as voting "yea" on the following bills which were considered April 21: **SB 126**, **CS for CS for SB 316**, **CS for CS for SB 366**, **CS for SB 602**, **CS for SB 704**, **CS for CS for CS for SB 742**, **CS for CS for SB 1004**, **SB 1006**, **CS for CS for SB 1058**, **SB 1136**, **SB 1424**, **CS for SB 1706**, **SB 1816**, **CS for HB 105**, **CS for HB 143**, **CS for HB 1291**, **HB 7091**, **HB 7093**, **HB 7111**, and **HB 7123**; and was recorded as voting "nay" on **CS for CS for CS for SB 218** and **CS for HB 7099**.

Senator Rich was recorded as voting "yea" on the following bills which were considered April 22: **CS for SB 140**, **CS for CS for SB 282**, **CS for CS for SB 292**, **CS for CS for SB 320**, **CS for SB 370**, **SB 488**, **CS for SB 580**, **CS for CS for CS for SB 694**, **CS for SB 768**, **CS for CS for CS for SB 846**, **CS for CS for SB 970**, **CS for SB 972**, **CS for CS for SB 982**, **CS for CS for CS for SB 1048**, **SB 1082**, **SB 1150**, **CS for CS for SB 1152**, **SB 1166**, **CS for SB 1178**, **CS for CS for CS for SB 1298**, **CS for SB 1730**, **CS for SB 2046**, **SB 2226**, **CS for CS for SB 2264**, **CS for CS for CS for SB 2330**, **SB 2470**, **CS for SB 2580**, **CS for SB 2754**, **CS for SB 2776**, **CS for SB 2792**, **CS for SB 2794**, **SB 2796**, **HB 1**, **CS for CS for HB 25**, **HB 53**, **CS for HB 91**, **CS for CS for CS for HB 159**, **CS for HB 317**, **CS for HB 573**, **HB 661**, **CS for HB 765**,

CS for CS for HB 787, **CS for HB 821**, **CS for CS for HB 885**, **CS for HB 951**, **HB 985**, **HB 1013**, **HB 1377**, **HB 1581**, **HB 7089**, **HB 7117**, and **HB 7119**; and was recorded as voting "nay" on **CS for CS for CS for SB 724**, **CS for CS for CS for SB 2014** and **CS for SB 2262**.

Senator Rich was recorded as voting "yea" on the following bills which were considered April 23: **CS for SB 200**, **CS for SB 318 and CS for SB 572**, **CS for SB 400**, **CS for CS for SB 434**, **SB 808**, **CS for CS for SB 1050**, **CS for CS for SB 2044**, **CS for HB 341**, **CS for CS for HB 509**, **HB 521**, **CS for CS for HB 1005**, **HB 7087**, **HB 7113**, **HB 7115**, and **CS for HB 7165**; and was recorded as voting "nay" on **CS for CS for CS for SB 724**.

Senator Alexander was recorded as voting "yea" on the following bills which were considered April 29: **SB 194**, **CS for SB 290**, **CS for CS for SB 346**, **CS for CS for CS for SB 354**, **CS for CS for HB 723**, **CS for CS for CS for HB 963**, **CS for HB 969**, **CS for CS for HB 971**, **CS for CS for HB 1073**, **CS for HB 1455** and **CS for CS for HB 1565**.

Senator Joyner was recorded as changing her vote from "nay" to "yea" on the following bill which was considered April 29: **CS for CS for CS for HB 665**.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 29 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for SB 2540; Crist—SB 1980; Detert—SB 838; Gaetz—CS for SJR 1254; Lynn—CS for SB 1580, CS for CS for SB 2008; Oelrich—SB 88, CS for SB 290, SB 438, CS for SB 530, SM 964, SB 1106, SJR 1240, CS for CS for SB 2500, SJR 2704, SJR 2706; Rich—CS for CS for CS for SB 1520; Wilson—SB 2576

Senator Crist withdrew as co-introducer of CS for CS for CS for SB 2322.

ADJOURNMENT

On motion by Senator Villalobos, the Senate adjourned sine die at 8:47 p.m.